



New South Wales

Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011

under the

Water Management Act 2000

I, the Minister for Water, in pursuance of section 50 of the *Water Management Act 2000*, do, by this Order, make the following Minister's Plan for the Greater Metropolitan Region Unregulated River Water Sources.

Dated this 25th day of February, 2011.

PHILLIP COSTA
Minister for Water

Explanatory note

Section 50 (1) of the *Water Management Act 2000* provides that the Minister may, by order published on the NSW legislation website, make a Minister's plan:

- (a) for any part of the State that is not within a water management area, or
- (b) for any water management area or water source, or part of a water management area or water source, for which a management plan is not in force, or
- (c) for any water management area or water source, or part of a water management area or water source, for which a management plan is in force, but only so as to deal with matters not dealt with by the management plan.

The purpose of this Order is to make the *Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011*.

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Part 1 Introduction

Note. Part 13 allows for amendments to be made to Part 1.

1 Name of this Plan

This Plan is the *Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011* (hereafter **this Plan**).

2 Nature and status of this Plan

- (1) This Plan is made under section 50 of the *Water Management Act 2000* (hereafter **the Act**).
- (2) This Plan is a plan for water sharing and generally deals with the matters set out in sections 20 and 21 of the Act, as well as other sections of the Act.

Note. Where a provision of this Plan is made under another section of the Act, the section is referred to in notes to this Plan.

3 Commencement of this Plan

This Plan commences on 1 July 2011.

Notes.

- 1 In accordance with section 43 of the Act, this Plan will have effect for 10 years from 1 July 2011.
- 2 The Minister may extend this Plan for a further period of 10 years after it is due to expire, in accordance with section 43A of the Act.

4 Application of this Plan

- (1) This Plan applies to the Greater Metropolitan Region Unregulated River Water Sources which is comprised of the following water sources (hereafter **these water sources**) within the Southern Water Management Area, the Hawkesbury Nepean Water Management Area, the Southern Sydney Water Management Area, and the Sydney Harbour Water Management Area:

- (a) Shoalhaven River Water Source;

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- (b) Illawarra Rivers Water Source;
- (c) Upper Nepean and Upstream Warragamba Water Source;
- (d) Hawkesbury and Lower Nepean Rivers Water Source;
- (e) Southern Sydney Rivers Water Source; and
- (f) Northern Sydney Rivers Water Source.

Note. The Southern Water Management Area, the Hawkesbury Nepean Water Management Area, the Southern Sydney Water Management Area and the Sydney Harbour Water Management Area were constituted by Ministerial order made under section 11 of the *Water Management Act 2000* published in the NSW Government Gazette No 180 on 23 November 2001 at page 9389.

- (2) These water sources are shown on the registered map called The Greater Metropolitan Region Unregulated River Water Sources held by the NSW Office of Water (hereafter the ***Registered Map***).

Note. An overview of the Registered Map is shown in Appendix 1. Maps of each of the water sources covered by this Plan are in Appendix 2. Copies of the Registered Map may be inspected at the offices listed in Appendix 3.

- (3) Subject to subclause (4), these water sources include all water:
 - (a) occurring naturally on the surface of the ground shown on the Registered Map;
and
 - (b) in rivers, lakes, estuaries and wetlands in these water sources.
 - (4) These water sources do not include water contained in:
 - (a) the coastal sands;
 - (b) any fractured rocks or porous rocks;
 - (c) the area below the mangrove limit;
 - (d) any alluvial sediments;
 - (e) the Kangaroo River Water Source as defined in the *Water Sharing Plan for the Kangaroo River Water Source 2003*; and
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- (f) the Mooney Mooney Creek Water Source and the Mangrove Creek Water Source as defined in the *Water Sharing Plan for the Central Coast Unregulated Water Sources 2009*.

5 Management Zones

- (1) For the purposes of this Plan, the following water sources are divided into the following management zones:
 - (a) Shoalhaven River Water Source:
 - (i) Upper Shoalhaven River Management Zone;
 - (ii) Mid Shoalhaven River Management Zone;
 - (iii) Reedy Creek Management Zone;
 - (iv) Boro Creek Management Zone;
 - (v) Mongarlowe River Management Zone;
 - (vi) Corang and Endrick Rivers Management Zone;
 - (vii) Nerrimunga Creek Management Zone;
 - (viii) Bungonia Creek Management Zone;
 - (ix) Shoalhaven River Gorge Management Zone;
 - (x) Barbers Creek Management Zone;
 - (xi) Fitzroy Falls Management Zone;
 - (xii) Yarrunga Creek Management Zone;
 - (xiii) Lower Kangaroo River Management Zone;
 - (xiv) Bundanoon Creek Management Zone;
 - (xv) Lower Shoalhaven River Management Zone;

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- (xvi) Bomaderry Creek Management Zone;
 - (xvii) Lower Shoalhaven River Catchment Management Zone;
 - (xviii) Broughton Creek Management Zone;
 - (xix) Broughton Mill Creek Management Zone; and
 - (xx) Jaspers Brush Creek and Tributaries Management Zone;
- (b) Illawarra Rivers Water Source:
- (i) Minnamurra River Management Zone;
 - (ii) Minnamurra Coastal Management Zone;
 - (iii) Lake Illawarra Management Zone;
 - (iv) Macquarie Rivulet Management Zone; and
 - (v) Wollongong Coastal Management Zone;
- (c) Upper Nepean and Upstream Warragamba Water Source:
- (i) Mulwaree River Management Zone;
 - (ii) Upper Wollondilly River Management Zone;
 - (iii) Lower Wollondilly River Management Zone;
 - (iv) Upper Wingecarribee River Management Zone;
 - (v) Lower Wingecarribee River Management Zone;
 - (vi) Medway Rivulet Management Zone;
 - (vii) Nattai River Management Zone;
 - (viii) Little River Management Zone;
 - (ix) Lake Burragorang Management Zone;

- (x) Werriberri Creek Management Zone;
 - (xi) Maldon Weir Management Zone, which includes the storage of Douglas Park Weir but does not include the storage of Pheasants Nest Weir;
 - (xii) Pheasants Nest Weir to Nepean Dam Management Zone, which includes the storage of Pheasants Nest Weir but does not include the storage of Nepean Dam;
 - (xiii) Maguires Crossing Management Zone, which includes the storage of Nepean Dam;
 - (xiv) Stonequarry Creek Management Zone;
 - (xv) Lower Cataract River Management Zone, which does not include the storage of Broughtons Pass Weir;
 - (xvi) Mid Cataract River Management Zone, which includes the storage of Broughtons Pass Weir but does not include the storage of Cataract Dam;
 - (xvii) Avon River Management Zone, which does not include the storage of Avon Dam;
 - (xviii) Cordeaux River Management Zone, which does not include the storage of Cordeaux Dam;
 - (xix) Upper Nepean River Tributaries Headwaters Management Zone which includes the storages of Cataract Dam, Cordeaux Dam and Avon Dam;
 - (xx) Wywandy Management Zone;
Note. The Wywandy Management Zone includes the hydrological catchment of the Coxs River at and above the Lake Lyell exclusion zone 200 metres downstream of the wall of Lilyvale Dam.
 - (xxi) Dharabuladh Management Zone;
Note. The Dharabuladh Management Zone includes the hydrological catchment of the Coxs River between the Wywandy Management Zone and the confluence of Coxs River and Jenolan River.
 - (xxii) Jenolan River Management Zone;
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- (xxiii) Kowmung River Management Zone; and
 - (xxiv) Kedumba River Management Zone;
 - (d) Hawkesbury and Lower Nepean Rivers Water Source:
 - (i) Menangle Weir Management Zone, which includes the storage of Menangle Weir but does not include the storage of Douglas Park Weir;
 - (ii) Camden Weir Management Zone, which includes the storages of Camden Weir, Thurns Weir and Bergins Weir but does not include the storage of Menangle Weir;
 - (iii) Sharpes Weir Management Zone, which includes the storage of Sharpes Weir but does not include the storage of Camden Weir;
 - (iv) Cobbity Weir Management Zone, which includes the storage of Cobbity Weir but does not include the storage of Sharpes Weir;
 - (v) Mount Hunter Rivulet Weir Management Zone, which includes the storage of Mount Hunter Rivulet Weir but does not include the storage of Cobbity Weir;
 - (vi) Brownlow Hill Weir Management Zone, which includes the storage of Brownlow Hill Weir but does not include the storage of Mount Hunter Rivulet Weir;
 - (vii) Theresa Park Weir Management Zone, which includes the storage of Theresa Park Weir but does not include the storage of Brownlow Hill Weir;
 - (viii) Wallacia Weir Management Zone, which includes the storage of Wallacia Weir but does not include the storage of Theresa Park Weir;
 - (ix) Mid Nepean River Catchment Management Zone;
 - (x) Warragamba River Management Zone;
 - (xi) Lower Nepean River Management Zone;
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- (xii) Erskine Creek and Glenbrook Creek Management Zone;
 - (xiii) Grose River Management Zone;
 - (xiv) Capertee River Management Zone;
 - (xv) Colo River Management Zone;
 - (xvi) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (xvii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (xviii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone;
 - (xvix) Lower Hawkesbury River Management Zone;
 - (xx) Macdonald River Management Zone;
 - (xxi) Upper South Creek Management Zone;
 - (xxii) Lower South Creek Management Zone;
 - (xxiii) Cattai Creek Management Zone; and
 - (xxiv) Berowra Creek and Cowan Creek Management Zone;
 - (e) Southern Sydney Rivers Water Source:
 - (i) Upper Woronora River Management Zone;
 - (ii) Lower Woronora River Management Zone;
 - (iii) Hacking River Management Zone;
 - (iv) Lower Georges River and Bunbury Curran Creek Management Zone;
 - (v) Cabramatta Creek Management Zone;
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- (vi) Prospect Creek Management Zone;
 - (vii) Georges River Catchment Management Zone;
 - (viii) Cooks River and Botany Bay Management Zone; and
 - (ix) Southern Sydney Coastal Management Zone;
- (f) Northern Sydney Rivers Water Source:
- (i) Upper Parramatta River Management Zone;
 - (ii) Lower Parramatta River Management Zone;
 - (iii) Lane Cove River Management Zone;
 - (iv) Middle Harbour Management Zone; and
 - (v) Northern Sydney Coastal Management Zone.
- (2) The management zones in subclause (1) are shown on the Registered Map.

6 Extraction management units in these water sources

- (1) This Plan establishes the following extraction management units (hereafter *the EMUs*):
- (a) Shoalhaven River Extraction Management Unit which applies to the water source specified in item (a) of Column 2 of Table A;
 - (b) Illawarra Rivers Extraction Management Unit which applies to the water source specified in item (b) of Column 2 of Table A;
 - (c) Upper Nepean and Upstream Warragamba Extraction Management Unit which applies to the water source specified in item (c) of Column 2 of Table A;
 - (d) Hawkesbury and Lower Nepean Rivers Extraction Management Unit which applies to the water source specified in item (d) of Column 2 of Table A;
 - (e) Southern Sydney Rivers Extraction Management Unit which applies to the water source specified in item (e) of Column 2 of Table A; and
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- (f) Northern Sydney Rivers Extraction Management Unit which applies to the water source specified in item (f) of Column 2 of Table A.

- (2) The EMUs are shown on the Registered Map.

Notes.

- 1 A long-term average annual extraction limit is established in Part 7 of this Plan for each extraction management unit. The long-term average annual extraction limit determines the maximum volume of water that may be extracted under access licences from all water sources within the extraction management unit on a long-term average annual basis.
- 2 The EMUs, and any water source to which the EMUs apply, may be amended as provided for in Part 13 of this Plan.

Table A – Extraction Management Units

	Column 1 – Extraction Management Unit	Column 2 – Water Source
(a)	Shoalhaven River Extraction Management Unit	Shoalhaven River Water Source
(b)	Illawarra Rivers Extraction Management Unit	Illawarra Rivers Water Source
(c)	Upper Nepean and Upstream Warragamba Extraction Management Unit	Upper Nepean and Upstream Warragamba Water Source
(d)	Hawkesbury and Lower Nepean Rivers Extraction Management Unit	Hawkesbury and Lower Nepean Rivers Water Source
(e)	Southern Sydney Rivers Extraction Management Unit	Southern Sydney Rivers Water Source
(f)	Northern Sydney Rivers Extraction Management Unit	Northern Sydney Rivers Water Source

7 Understanding the rules in this Plan

This Plan contains various rules. Where appropriate, rules specified in this Plan are given effect by mandatory conditions for access licences and approvals contained in Part 12 of this Plan.

Note. The rules in this Plan include environmental water rules, system operation rules, access licence dealing rules, rules for granting and managing access licences, rules for water supply

work approvals, rules for the making of available water determinations, water allocation account rules and daily access rules.

8 Interpretation

- (1) Words and expressions that are defined in the Dictionary in Schedule 1 of this Plan have the meaning set out in that Schedule.
- (2) Unless otherwise defined in this Plan, words and expressions that are defined in the Act or in the *Water Management (General) Regulation 2004* (hereafter ***the Regulation***) have the same meaning in this Plan.
- (3) Unless otherwise specified in this Plan, a clause that applies to a category of access licence also applies to any subcategories of that category of access licence.
- (4) Schedules to this Plan form part of this Plan.
- (5) Notes in the text of this Plan do not form part of this Plan.
- (6) Appendices to this Plan do not form part of this Plan.

Part 2 Vision, objectives, strategies and performance indicators

Note. This Part is made in accordance with section 35 (1) of the Act.

9 Vision statement

- (1) The vision of this Plan is to provide for healthy and enhanced water sources and water dependent ecosystems and for equitable water sharing among users in these water sources.
- (2) This Plan was developed with the recognition that the sharing of waters in these water sources contributes to:
 - (a) Aboriginal peoples pursuing their economic, social and cultural development, and maintaining and strengthening their spiritual and customary relationship to the water; and
 - (b) the involvement of Aboriginal peoples in the conservation, protection and management of these water sources.

10 Objectives

The objectives of this Plan are to:

- (a) provide for the water supply for the people of Sydney, the Illawarra, the Shoalhaven, the Southern Highlands and the Blue Mountains, which comprise approximately 70% of the NSW population;
 - (b) contribute to the sustainable and integrated management of the water cycle across these water sources;
 - (c) protect, preserve, maintain and enhance the important river flow dependent and high priority groundwater dependent ecosystems of these water sources;
 - (d) protect, preserve, maintain and enhance the Aboriginal, cultural and heritage values of these water sources;
 - (e) protect basic landholder rights;
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- (f) manage these water sources to ensure equitable sharing between users;
- (g) contribute to the sustainable development of those industries reliant on surface water;
- (h) provide security and certainty for the life of the plan to stakeholders that utilise water resources;
- (i) provide opportunities for enhanced market based trading of access licences and water allocations within environmental and system constraints;
- (j) provide water allocation account management rules which allow sufficient flexibility to encourage responsible use of available water;
- (k) contribute to the maintenance of water quality;
- (l) provide recognition of the connectivity between surface water and groundwater;
- (m) adaptively manage these water sources;
- (n) limit the physical transfer of water between water sources where those transfers might compromise the health of the water source and water dependent ecosystems in the water source from or to which water is transferred;
- (o) implement Government decisions on environmental flow regimes for the Upper Nepean and Upstream Warragamba Water Source, the Hawkesbury and Lower Nepean Rivers Water Source, the Southern Sydney Rivers Water Source and the Shoalhaven River Water Source; and
- (p) contribute to the environmental and other public benefit outcomes identified under the Water Access Entitlements and Planning Framework in the *Intergovernmental Agreement on a National Water Initiative (2004)* (the *NWI*).

Note. Under the NWI, water that is provided by NSW to meet agreed environmental and other public benefit outcomes as defined within relevant water plans is to:

- (i) be given statutory recognition and have at least the same degree of security as water access entitlements for consumptive use and be fully accounted for;
 - (ii) be defined as the water management arrangements required to meet the outcomes sought, including water provided on a rules basis or held as a water access entitlement; and
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- (iii) if held as a water access entitlement, may be made available to be traded (where physically possible) on the temporary market, when not required to meet the environmental and other public benefit outcomes sought and provided such trading is not in conflict with these outcomes.

11 Strategies

The strategies of this Plan are to:

- (a) establish environmental water rules;
- (b) identify water requirements for basic landholder rights;
- (c) identify water requirements for access licences;
- (d) establish rules for the granting of access licences and approvals;
- (e) establish rules that place limits on the availability of water for extraction;
- (f) establish rules for making available water determinations;
- (g) establish rules for the operation of water accounts;
- (h) establish rules which specify the circumstances under which water may be extracted;
- (i) impose mandatory conditions on access licences and water supply work approvals;
- (j) establish access licence dealing rules;
- (k) establish performance indicators; and
- (l) identify triggers for and limits to changes to the rules in this Plan.

12 Performance indicators

The following indicators are to be used to measure the success of the strategies to reach the objectives of this Plan:

- (a) change in low flow regime;
 - (b) change in moderate to high flow regime;
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- (c) change in surface water extraction relative to the long-term average annual extraction limit;
- (d) change in local water utility access and major utility access;
- (e) change in, or maintenance of, the ecological value of key water sources and their dependent ecosystems;
- (f) the extent to which basic landholder rights requirements have been met;
- (g) the extent to which local water utility and major utility requirements have been met;
- (h) the extent to which native title rights requirements have been met;
- (i) the change in economic benefits derived from water extraction and use; and
- (j) the extent of recognition of spiritual, social and customary values of water to Aboriginal people.

Part 3 Bulk access regime

13 Bulk access regime

- (1) This Plan establishes a bulk access regime for the extraction of water under access licences in these water sources, having regard to:
 - (a) the environmental water rules established in Division 1 of Part 4 of this Plan;
 - (b) the requirements for water for basic landholder rights identified in Division 2 of Part 5 of this Plan;
 - (c) the requirements for water for extraction under access licences identified in Division 3 of Part 5 of this Plan; and
 - (d) the access licence dealing rules established in Part 11 of this Plan.
- (2) The bulk access regime established in this Plan for these water sources:
 - (a) recognises and is consistent with the limits to the availability of water set in relation to these water sources contained in Division 1 of Part 7 of this Plan;
 - (b) establishes rules according to which access licences are to be granted and managed contained in Parts 8 and 9 of this Plan, and available water determinations to be made contained in Division 2 of Part 7 of this Plan;
 - (c) recognises the effect of climatic variability on the availability of water as described in clause 14;
 - (d) establishes rules with respect to the priorities according to which water allocations are to be adjusted as a consequence of any reductions in the availability of water due to an increase in average annual extraction above the long-term average annual extraction limit, contained in Division 1 of Part 7 of this Plan;
 - (e) contains provisions with respect to the conditions that must be imposed as mandatory conditions on access licences, contained in Division 1 of Part 12 of this Plan; and

- (f) recognises and is consistent with the water management principles contained in section 5 of the Act.

14 Climatic variability

This Plan recognises the effects of climatic variability on river flow in these water sources by having provisions that:

- (a) manage the sharing of water in these water sources within the limits of water availability on a long-term average annual basis and the priorities according to which water allocations are to be adjusted as a consequence of any reductions in the availability of water due to an increase in average annual extraction above the long-term average annual extraction limit, contained in Division 1 of Part 7 of this Plan; and
- (b) manage the sharing of water in specified water sources on a daily basis in these water sources, contained in Division 2 of Part 9 of this Plan.

Note. Other statutory tools are available to manage climatic variability within a water source, for example, temporary water restrictions under section 324 of the Act.

Part 4 Environmental water provisions

Note. This Part is made in accordance with sections 8, 8A, 8B, 8C, 8D, 8E and 20 of the Act.

Division 1 Planned environmental water

15 General

This Division contains environmental water rules for the commitment, identification, establishment and maintenance of planned environmental water in these water sources.

Note. In accordance with the Act, planned environmental water is water that is committed by management plans for fundamental ecosystem health or other specified environmental purposes, either generally or at specified times or in specified circumstances, and that cannot to the extent committed be taken or used for any other purpose.

16 Commitment and identification of planned environmental water

- (1) Planned environmental water is committed and identified in these water sources as set out in this clause.
- (2) Water is committed and identified as planned environmental water in the Upper Nepean and Upstream Warragamba Water Source and the Hawkesbury and Lower Nepean Rivers Water Source in the following ways:
 - (a) by reference to the commitment of the physical presence of water in the water source;
 - (b) by reference to the long-term average annual commitment of water as planned environmental water; and
 - (c) by reference to the water that is not committed after the commitments to basic landholder rights and for sharing and extraction under any other rights have been met.
- (3) Water is committed and identified as planned environmental water in the Shoalhaven River Water Source, Illawarra Rivers Water Source, Southern Sydney Rivers Water Source and the Northern Sydney Rivers Water Source in the following ways:

- (a) by reference to the commitment of the physical presence of water in the water source; and
- (b) by reference to the water that is not committed after the commitments to basic landholder rights and for sharing and extraction under any other rights have been met.

17 Establishment and maintenance of planned environmental water

- (1) Planned environmental water is established and maintained in these water sources as set out in this clause.
- (2) Planned environmental water in these water sources is established as follows:

- (a) it is the physical presence of water that:
 - (i) results from the environmental release rules specified in Part 6 for the Shoalhaven River Water Source, Upper Nepean and Upstream Warragamba Water Source, Hawkesbury and Lower Nepean Rivers Water Source and the Southern Sydney Rivers Water Source; and

Note. The rules in Part 6 require daily releases of water to be made from storages in the Shoalhaven River Water Source, Upper Nepean and Upstream Warragamba Water Source, Hawkesbury and Lower Nepean Rivers Water Source and the Southern Sydney Rivers Water Source and establish environmental contingency allowance accounts for those storages.

- (ii) results from the access rules specified in Division 2 of Part 9 of this Plan;

Note. The rules in Division 2 of Part 9 of this Plan set flow rates or flow levels below which the taking of water is not permitted. Some limited exemptions apply.

- (b) it is the long-term average annual commitment of water as planned environmental water in the Upper Nepean and Upstream Warragamba Water Source and the Hawkesbury and Lower Nepean Rivers Water Source that results from the application of the environmental release rules as specified in Part 6, the available water determination rules as specified in Division 2 of Part 7, the water allocation account management rules as specified in Division 1 of Part 9, and the long-term average annual extraction limit as specified in Division 1 of Part 7;
 - (c) it is the water remaining after water has been taken pursuant to basic landholder
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rights and access licences in accordance with the rules specified in Part 7 and Part 9.

- (3) The planned environmental water established under subclause (2) (a) is maintained in:
 - (a) the Shoalhaven River Water Source, the Upper Nepean and Upstream Warragamba Water Source, the Hawkesbury and Lower Nepean Rivers Water Source and the Southern Sydney Rivers Water Source by the environmental release rules specified in Part 6; and
 - (b) these water sources by the rules specified in Part 7 and Division 1 of Part 9 of this Plan.
- (4) The planned environmental water established in subclause (2) (b) is maintained in the Upper Nepean and Upstream Warragamba Water Source and the Hawkesbury and Lower Nepean Rivers Water Source by the rules in Part 7 which limit the water available for extraction under access licences.
- (5) The planned environmental water established under subclause (2) (c) is maintained in these water sources by the rules specified in Part 7 and Part 9 of this Plan.

Note. The rules in Part 7 ensure that there will be water remaining in these water sources over the long-term by maintaining compliance with the long-term average annual extraction limit, which is less than 100% of the long-term average water available. The rules in Part 7 provide for a reduction in available water determinations when the long-term average annual extraction limit has been assessed to have been exceeded.

Division 2 Adaptive environmental water

18 Adaptive environmental water provisions

- (1) A holder of an access licence in these water sources may request that the Minister impose an adaptive environmental water condition in respect of the whole or a part of the access licence, in accordance with section 8B of the Act.
 - (2) An access licence may be granted in these water sources in accordance with section 8C of the Act.
 - (3) An access licence surrendered by its holder may be kept by the Minister, or transferred, or changed to a different category or subcategory, in accordance with section 8D of the Act.
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Part 5 Requirements for water

Division 1 General

19 Application

- (1) This Part identifies the requirements for water from these water sources for basic landholder rights (Division 2) and for extraction under access licences (Division 3).
- (2) The amounts of water specified in this Part represent the estimated water requirements of persons entitled to basic landholder rights in these water sources and the total volumes or unit shares specified in the share components of all access licences in these water sources. The actual volumes of water available for extraction in these water sources at any time will depend on factors such as climatic variability, access licence priority and the rules in this Plan.
- (3) This Plan recognises that basic landholder rights in these water sources and the total share components of all access licences authorised to extract water from these water sources may change during the term of this Plan. This Plan manages such changes by having provisions that manage the sharing of water within the limits of water availability, as provided for in Division 1 of Part 7 of this Plan.

Note. The total share components of access licences in these water sources may change during the terms of this Plan as a result of:

- (a) the granting, surrender or cancellation of access licences in these water sources;
- (b) the variation of local water utility licences under section 66 of the Act; or
- (c) changes due to the volumetric conversion of *Water Act 1912* entitlements that are currently non-volumetric.

Division 2 Requirements for water for basic landholder rights

20 Domestic and stock rights

At the commencement of this Plan, the water requirements of persons entitled to domestic and stock rights within these water sources are estimated to total 88 megalitres per day (hereafter *ML/day*), distributed as follows:

- (a) 13.3 ML/day in the Shoalhaven River Water Source;
- (b) 4 ML/day in the Illawarra Rivers Water Source;
- (c) 21 ML/day in the Upper Nepean and Upstream Warragamba Water Source;
- (d) 25.4 ML/day in the Hawkesbury and Lower Nepean Rivers Water Source;
- (e) 13.2 ML/day in the Southern Sydney Rivers Water Source; and
- (f) 11.1 ML/day in the Northern Sydney Rivers Water Source.

Notes.

- 1 Domestic and stock rights are set out in Division 1 of Part 1 of Chapter 3 of the Act and must be exercised in accordance with any mandatory guidelines established under the Act with respect to the taking and use of water for domestic consumption or stock watering.
- 2 Inherent water quality and land use activities may make the water in some areas unsuitable for human consumption. Water from these water sources should not be consumed without first being tested and, if necessary, appropriately treated. Such testing and treatment is the responsibility of the water user.

21 Native title rights

At the commencement of this Plan, there are no native title rights in these water sources. Therefore the water requirements for native title rights total 0 megalitres per year (hereafter *ML/year*).

Note. A change in native title rights may occur pursuant to the provisions of the *Native Title Act 1993* (Cth).

22 Harvestable rights

The requirement for water under harvestable rights in these water sources is the total amount of water that owners or occupiers of landholdings are entitled to capture and store pursuant to a harvestable rights order made under Part 1 of Chapter 3 of the Act.

Division 3 Requirements for water for extraction under access licences

23 Share components of domestic and stock access licences

It is estimated that at the time of commencement of this Plan the share components of domestic and stock access licences authorised to take water from these water sources

will total 2,282.1 ML/year, distributed as follows:

- (a) 180.9 ML/year in the Shoalhaven River Water Source;
- (b) 109 ML/year in the Illawarra Rivers Water Source;
- (c) 440.7 ML/year in the Upper Nepean and Upstream Warragamba Water Source;
- (d) 1,498.5 ML/year in the Hawkesbury and Lower Nepean Rivers Water Source;
- (e) 47.5 ML/year in the Southern Sydney Rivers Water Source; and
- (f) 5.5 ML/year in the Northern Sydney Rivers Water Source.

24 Share components of local water utility access licences

It is estimated that at the time of commencement of this Plan the share components of local water utility access licences authorised to take water from these water sources will total 36,459 ML/year, distributed as follows:

- (a) 26,946 ML/year in the Shoalhaven River Water Source;
- (b) 0 ML/year in the Illawarra Rivers Water Source;
- (c) 8,539 ML/year in the Upper Nepean and Upstream Warragamba Water Source;
- (d) 974 ML/year in the Hawkesbury and Lower Nepean Rivers Water Source;
- (e) 0 ML/year in the Southern Sydney Rivers Water Source; and
- (f) 0 ML/year in the Northern Sydney Rivers Water Source.

25 Share components of unregulated river access licences

It is estimated that at the time of commencement of this Plan the share components of unregulated river access licences authorised to take water from these water sources will total 121,757.8 unit shares, distributed as follows:

- (a) 6,143.1 unit shares in the Shoalhaven River Water Source;
 - (b) 2,936.4 unit shares in the Illawarra Rivers Water Source;
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- (c) 15,540.2 unit shares in the Upper Nepean and Upstream Warragamba Water Source;
- (d) 91,984.1 unit shares in the Hawkesbury and Lower Nepean Rivers Water Source;
- (e) 3,294 unit shares in the Southern Sydney Rivers Water Source; and
- (f) 1,860 unit shares in the Northern Sydney Rivers Water Source.

26 Share components of major utility access licences

It is estimated that at the time of commencement of this Plan, the share components of major utility access licences authorised to take water from these water sources will total 1,032,075 ML/year, distributed as follows:

- (a) 329,000 ML/year in the Shoalhaven River Water Source;

Note. 329,000 ML/year is solely for the Sydney Catchment Authority. This does not include any entitlement of Eraring Energy to interchange up to a maximum of 4,021 ML/year at any time between Lake Yarrunga and Fitzroy Falls, 880 ML/year at any time between Bendeela Pondage and Lake Yarrunga, and up to 10,000 ML/year between Lake Yarrunga and Fitzroy Falls in times of unusually high power demand or failure of generating stations in the state energy grid.

- (b) 0 ML/year in the Illawarra Rivers Water Source;
- (c) 645,000 ML/year in the Upper Nepean and Upstream Warragamba Water Source;

Note. 645,000 ML/year comprises 620,000 ML/year for the Sydney Catchment Authority and 25,000 ML/year for Delta Electricity.

- (d) 26,075 ML/year in the Hawkesbury and Lower Nepean Rivers Water Source;

Note. 26,075 ML/year comprises 6,000 ML/year for Sydney Catchment Authority and 20,075 ML/year for Sydney Water Corporation.

- (e) 32,000 ML/year in the Southern Sydney Rivers Water Source; and

Note. 32,000 ML/year is for the Sydney Catchment Authority.

- (f) 0 ML/year in the Northern Sydney Rivers Water Source.
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Part 6 System Operation Rules

27 General

The rules in this Part apply to the Shoalhaven River Water Source, the Upper Nepean and Upper Warragamba Water Source, the Hawkesbury and Lower Nepean Rivers Water Source and the Southern Sydney Rivers Water Source.

Note. Part 13 allows for amendments to be made to this Part.

28 Environmental flow releases in the Shoalhaven River Water Source

- (1) In the Shoalhaven River Water Source:
 - (a) subject to paragraph (b), daily releases of water must be made over Fitzroy Falls from Fitzroy Falls Reservoir so that by the end of each month, five thirds of the month's inflows from Wildes Meadow Creek to Fitzroy Falls Reservoir have been released;
 - (b) releases under paragraph (a) are not required to be made when Fitzroy Falls Reservoir is spilling at a rate that equals or exceeds the release requirement specified in paragraph (a); and
 - (c) for the purpose of this subclause:
 - (i) the volume of water released must be measured at the Yarrunga Creek at Fitzroy Falls gauge (215234) or at such alternative flow reference points or by such methods as determined in writing by the Minister; and
 - (ii) inflows from Wildes Meadow Creek to Fitzroy Falls Reservoir must be measured at the Yarrunga Creek at Wildes Meadow gauge (215233) or at such alternative flow reference points or by such methods as determined in writing by the Minister.
 - (2) In the Shoalhaven River Water Source, a daily release of water must be made from Tallowa Dam which is equal to:
 - (a) the daily inflows to Lake Yarrunga, when the daily inflow is less than or equal to the monthly 80th percentile flow; and
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- (b) the monthly 80th percentile flow plus 20% of the difference between daily inflows and the monthly 80th percentile flow when the daily inflow is greater than the monthly 80th percentile flow.

Notes.

1. Lake Yarrunga is the storage created by Tallowa Dam. The monthly 80th percentile flow is estimated at the commencement of this Plan to equate to the flow specified in Column 2 of Table B below for the month specified in Column 1 of Table B. The monthly 80th percentile flow is reassessed periodically in consultation with the Sydney Catchment Authority and the Ministerial Corporation.
2. Table B below shows the monthly environmental release thresholds for Lake Yarrunga.

Table B - Monthly environmental release thresholds for Lake Yarrunga

	Column 1 – Month	Column 2 – Monthly flow threshold in megalitres per day (ML/day)
(a)	January	150
(b)	February	161
(c)	March	182
(d)	April	259
(e)	May	298
(f)	June	334
(g)	July	371
(h)	August	332
(i)	September	299
(j)	October	281
(k)	November	256
(l)	December	179

- (3) For the purposes of subclause (2), daily inflows to Lake Yarrunga Reservoir must be measured at the Kangaroo River at Hampden Bridge gauge (215220) and the Shoalhaven River at Fossickers Flat gauge (215207) or at such alternative flow reference points or by such methods as determined in writing by the Minister.
- (4) Releases of water under subclauses (1) and (2) are not required to be made for the respective storage where:
- (a) the release requirements cannot be met due to an emergency situation and the holder of the water supply work approval notifies the Minister in writing within 7 days of becoming aware of the emergency;
 - (b) the Minister is satisfied that the release requirements cannot be met due to water supply work capacity constraints or necessary maintenance, refurbishment or modification work that has the potential to temporarily affect the flow rate or

behaviour of water for a period of more than 24 hours and has granted permission in writing;

- (c) the Minister requires an alternate release to be made due to an emergency situation or a maintenance activity and has notified this in writing; or
- (d) the respective storage is spilling at a rate that equals or exceeds the respective release requirement specified in subclauses (1) and (2).

29 Releases for Shoalhaven City Council from Tallowa Dam in the Shoalhaven River Water Source

- (1) In the Shoalhaven River Water Source, the Sydney Catchment Authority must release from Tallowa Dam the water requirements of Shoalhaven City Council in accordance with the Sydney Catchment Authority and Shoalhaven City Council Raw Water Supply Protocols signed on 5 February 2010 or as subsequently replaced or amended.

Note. The Sydney Catchment Authority and Shoalhaven City Council Raw Water Supply Protocols were signed on 5 February 2010 and establish the commercial and operational arrangements under which the Sydney Catchment Authority supplies bulk raw water to the Shoalhaven City Council.

- (2) Releases of water under subclause (1) are not required to be made where:
 - (a) the release requirements cannot be met due to an emergency situation and the holder of the water supply work approval notifies the Minister in writing within 7 days of becoming aware of the emergency;
 - (b) the Minister is satisfied that the release requirements cannot be met due to water supply work capacity constraints or necessary maintenance, refurbishment or modification work that has the potential to temporarily affect the flow rate or behaviour of water for a period of more than 24 hours and has granted permission in writing;
 - (c) the Minister requires an alternate release to be made due to an emergency situation or a maintenance activity and has notified this in writing; or
 - (d) Tallowa Dam is spilling at a rate that equals or exceeds the release requirement under subclause (1).
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30 Transfer rules from the Shoalhaven River Water Source to the Upper Nepean and Upstream Warragamba Water Source

- (1) The Sydney Catchment Authority must not commence transferring water from the Shoalhaven River Water Source to the Upper Nepean and Upstream Warragamba Water Source unless:
 - (a) the total volume of water in Sydney Catchment Authority storages within these water sources is less than 75% of total storage capacity of those storages; and
 - (b) the level of water in Lake Yarrunga is equal to or greater than 55.34 metres.
- (2) The Sydney Catchment Authority must cease transferring water from the Shoalhaven River Water Source to the Upper Nepean and Upstream Warragamba Water Source when either:
 - (a) the total volume of water in Sydney Catchment Authority's storages within these water sources is equal to or greater than 80% of total storage capacity of those storages; or
 - (b) the level of water in Lake Yarrunga is less than 55.34 metres.

Notes.

- 1 The Sydney Catchment Authority storages referred to in this clause are Cataract Dam, Cordeaux Dam, Upper Cordeaux No. 2 Dam, Upper Cordeaux No. 1 Dam, Avon Dam, Nepean Dam, Woronora Dam, Warragamba Dam, Prospect Reservoir, Wingecarribee Reservoir, Fitzroy Falls Reservoir, Bendeela Pondage, Tallowa Dam, Medlow Dam, Greaves Creek Dam, and Cascade Dams 1, 2 and 3.
- 2 A level of water of 55.34 metres in Lake Yarrunga equates to 1 metre below Full Supply Level for Tallowa Dam.
- 3 **Total storage capacity** and **Full Supply Level** are defined in the Dictionary.

31 Interchange rules for Fitzroy Falls Reservoir and Lake Yarrunga in the Shoalhaven River Water Source

The interchange of water between Fitzroy Falls Reservoir in the Fitzroy Falls Management Zone, Lake Yarrunga in the Lower Kangaroo River Management Zone and the Shoalhaven River Gorge Management Zone in the Shoalhaven River Water Source must be managed in accordance with the following:

- (a) Eraring Energy may interchange up to 4,021 megalitres between Fitzroy Falls Reservoir and Lake Yarrunga, provided that the interchange is made in accordance with procedures determined in writing by the Minister. This paragraph does not apply where paragraph (e) applies;
- (b) Eraring Energy may interchange up to a maximum of 880 megalitres between Bendeela Pondage and Lake Yarrunga, provided that the interchange is made in accordance with procedures determined in writing by the Minister. This paragraph does not apply where paragraph (e) applies;
- (c) Eraring Energy may, under conditions of unusually high power demand or in the event of a failure of other power generating stations in the State energy network, interchange up to 10,000 megalitres between Fitzroy Falls Reservoir and Lake Yarrunga, subject to the agreement in writing of the Sydney Catchment Authority. This paragraph does not apply where paragraph (e) applies;
- (d) Eraring Energy may divert water for the purpose of electricity generation from Fitzroy Falls Reservoir to Lake Yarrunga when Fitzroy Falls Reservoir is spilling to Yarrunga Creek, provided that any requirements for daily releases under clause 28 (1) are being met. This paragraph does not apply where paragraph (e) applies;
- (e) in the event that Eraring Energy is required to operate for the purposes of 'black start' then it may undertake power generation for the period required to restore the State electrical system; and

Note. *Black start* is defined in the Dictionary. Any power generation which occurs under paragraph (e) will be under the direction and control of the National Electricity Market Management Company in accordance with the powers given to it via the National Electricity Code.

- (f) for the purpose of this clause, the volumes of water interchanged or diverted are to be measured in a manner approved in writing by the Minister.

32 Environmental flow releases in the Upper Nepean and Upstream Warragamba Water Source

- (1) Subject to subclause (12), in addition to the daily release requirement specified in

clause 33 (1), a daily release of water must be made from Wingecarribee Reservoir into the Wingecarribee River equal to 3 ML/day.

- (2) The volume of water released under subclause (1) must be measured at the Wingecarribee River at Sheepwash Bridge gauge (212275) or at such alternative flow reference points or by such methods as determined in writing by the Minister.
- (3) In the Upper Nepean and Upstream Warragamba Water Source, daily releases of water must be made from Avon Dam in accordance with the following:
 - (a) subject to subclause (12), when the daily inflows into Lake Avon are less than or equal to the 80th percentile daily inflow, a daily release of water which is equal to the daily inflows must be made;
Note. 6.8 ML/day corresponds to the estimated 80th percentile daily inflow.
 - (b) subject to subclause (12), when the daily inflows into Lake Avon are greater than the 80th percentile daily inflow, a daily release of water which is equal to the 80th percentile daily flow plus 20% of the daily inflows above the 80th percentile daily inflow must be made;
 - (c) for the purposes of paragraphs (a) and (b):
 - (i) daily inflows into Lake Avon must be calculated by a method approved in writing by the Minister either:
 - (A) taking into account flows measured at the Avon River at Summit Tank gauge (2122111) and the Flying Fox No. 3 Creek at Fire Road gauge (2122112), or such alternate flow reference points as determined in writing by the Minister, and an estimate of any other tributary inflows; or
 - (B) taking into account changes in water storage levels, net evaporation, other losses and outflows; and
 - (ii) the volume of water released must be measured in a manner approved in writing by the Minister.

- (4) In the Upper Nepean and Upstream Warragamba Water Source, daily releases of
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water must be made from Cataract Dam in accordance with the following:

- (a) subject to subclause (12), when the daily inflows into Lake Cataract are less than or equal to the 80th percentile daily inflow, a daily release of water which is equal to the daily inflows must be made;

Note. 14.5 ML/day corresponds to the estimated 80th percentile daily inflow.

- (b) subject to subclause (12), when the daily inflows into Lake Cataract are greater than the 80th percentile daily inflow, a daily release of water which is equal to the 80th percentile daily inflow plus 20% of the inflow volume above the 80th percentile daily inflow must be made;

- (c) for the purposes of paragraphs (a) and (b):

- (i) daily inflows into Lake Cataract must be calculated by a method approved in writing by the Minister either:

- (A) taking into account flows measured at the Loddon River at Bulli Appin Road gauge (2122322) and the Cataract River at Corrimal No. 1 gauge (2122323), or such alternative flow reference points as determined in writing by the Minister, and an estimate of any other tributary inflows; or

- (B) taking into account changes in water storage levels, net evaporation, other losses and outflows; and

- (ii) the volume of water released must be measured in a manner approved in writing by the Minister.

- (5) In the Upper Nepean and Upstream Warragamba Water Source, daily releases of water must be made from Nepean Dam in accordance with the following:

- (a) subject to subclause (12), when the daily inflows into Lake Nepean are less than or equal to the 80th percentile daily inflow, a daily release of water which is equal to the daily inflows must be made;

Note. 20.1 ML/day corresponds to the estimated 80th percentile daily inflow.

- (b) subject to subclause (12), when the daily inflows into Lake Nepean are greater than the 80th percentile daily inflow, a daily release of water which is equal to the 80th percentile daily inflow plus 20% of the inflow volume above the 80th percentile daily inflow must be made;
 - (c) for the purposes of paragraphs (a) and (b):
 - (i) daily inflows into Lake Nepean must be calculated by a method approved in writing by the Minister either:
 - (A) taking into account flows measured at the Nepean River at Nepean Dam gauge (2122051) and the Burke River at Nepean Dam gauge (2122052), or such alternative flow reference points as determined in writing by the Minister, and an estimate of any other tributary inflows; or
 - (B) taking into account changes in water storage levels, net evaporation, other losses and outflows; and
 - (ii) the volume of water released must be measured in a manner approved in writing by the Minister.
- (6) In the Upper Nepean and Upstream Warragamba Water Source, daily releases of water must be made from Cordeaux Dam in accordance with the following:
- (a) subject to subclause (12), when the daily inflows into Lake Cordeaux are less than or equal to the 80th percentile daily inflow, a daily release of water which is equal to the daily inflows must be made;
- Note.** 4.5 ML/day corresponds to the estimated 80th percentile daily inflow.
- (b) subject to subclause (12), when the daily inflows into Lake Cordeaux are greater than the 80th percentile daily inflow, a daily release of water which is equal to the 80th percentile daily inflow plus 20% of the inflow volume above the 80th percentile daily inflow must be made;
 - (c) for the purposes of paragraphs (a) and (b):
 - (i) daily inflows into Lake Cordeaux must be calculated by a method
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approved in writing by the Minister either:

- (A) taking into account flows measured at the Goondarrin Creek at Kemira 'D' Cast gauge (2122201) and the Sandy Creek at Cordeaux River gauge (2122205), or such alternative flow reference points as determined in writing by the Minister, and an estimate of any other tributary inflows; or
 - (B) taking into account changes in water storage levels, net evaporation, other losses and outflows; and
- (ii) the volume of water released must be measured in a manner approved in writing by the Minister.
- (7) In the Upper Nepean and Upstream Warragamba Water Source, daily releases of water must be made from Pheasants Nest Weir in accordance with the following:
- (a) subject to subclause (12), a daily release must be made from Pheasants Nest Weir which is equal to:
 - (i) the volume of water released that day from Avon Dam, Nepean Dam and Cordeaux Dam under subclauses (3), (5) and (6) respectively and clauses 37 (5) and 38 (4); plus
 - (ii) the volume of water that is equal to:
 - (A) daily inflows to the catchment between Pheasants Nest Weir and Avon Dam, Nepean Dam and Cordeaux Dam, when the daily inflow is less than or equal to the 80th percentile daily inflow; or
- Note.** 4.5 ML/day corresponds to the estimated 80th percentile daily inflow to the catchment between Pheasants Nest Weir and Avon Dam, Nepean Dam and Cordeaux Dam.
- (B) the 80th percentile daily inflow into to the catchment between Pheasants Nest Weir and Avon Dam, Nepean Dam and Cordeaux Dam plus 20% of the inflow volume above the 80th percentile daily inflow, when the daily inflows are greater than the 80th percentile daily inflow;
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- (b) for the purposes of paragraph (a):
 - (i) travel time, transmission losses and other relevant factors may be taken into account as set out in methods approved in writing by the Minister, for the purpose of calculating the volume to be released from Pheasants Nest Weir under paragraph (a) (i) based on releases made from Avon Dam, Nepean Dam and Cordeaux Dam that day under subclauses (3), (5) and (6) and clauses 37 (5) and 38 (4);
 - (ii) the inflow volume to the catchment between Pheasants Nest Weir and Avon Dam, Nepean Dam and Cordeaux Dam must be measured by the Sydney Catchment Authority in a manner approved in writing by the Minister; and
 - (iii) the volume of water released must be measured in a manner approved in writing by the Minister.

- (8) In the Upper Nepean and Upstream Warragamba Water Source, daily releases of water must be made from Broughtons Pass Weir in accordance with the following:
 - (a) subject to subclause (12), a daily release must be made from Broughtons Pass Weir which is equal to:
 - (i) the releases made from Cataract Dam that day under subclause (4) and clauses 37 (5) and 38 (4); plus
 - (ii) the volume of water that is equal to:
 - (A) daily inflows to the catchment between Broughtons Pass Weir and Cataract Dam, when the daily inflow is less than or equal to the 80th percentile daily inflow; or
Note. 4.4 ML/day corresponds to the estimated 80th percentile daily inflow to the catchment between Broughtons Pass Weir and Cataract Dam.
 - (B) the 80th percentile daily inflow into the catchment between Broughtons Pass Weir and Cataract Dam plus 20% of the inflow volume above the 80th percentile daily inflow, when the daily inflows are greater than the 80th percentile daily inflow;

- (b) for the purposes of paragraph (a):
 - (i) travel time, transmission losses and other relevant factors may be taken into account as set out in methods approved in writing by the Minister, for the purpose of calculating the volume to be released from Broughtons Pass Weir under paragraph (a) (i) based on releases made from Cataract Dam that day under subclause (4) and clauses 37 (5) and 38 (4);
 - (ii) the inflow volume to the catchment between Broughtons Pass Weir and Cataract Dam shall be calculated by the Sydney Catchment Authority by a method approved in writing by the Minister taking into account flows measured at the Cataract River at Broughtons Pass Notch gauge (212230), or such alternative flow reference points as determined in writing by the Minister; and
 - (iii) the volume of water released must be measured in a manner approved in writing by the Minister.

- (9) In the Upper Nepean and Upstream Warragamba Water Source, daily releases of water must be made from Lake Lyell in accordance with the following:
 - (a) subject to paragraphs (d) and (e), when the daily inflows into Lake Lyell are less than or equal to 13.6 ML/day, a daily release of water which is equal to the daily inflows must be made;
 - (b) subject to paragraphs (d) and (e), when the daily inflows into Lake Lyell are greater than 13.6 ML/day, a daily release of water which is equal to 13.6 ML/day plus 25% of the daily inflow volume above 13.6 ML/day must be made;
 - (c) subject to paragraph (e), if in any water year a flow of 800 ML/day or more has not occurred for a period of at least one hour at the Coxs River at Lithgow gauge (212011), an annual channel maintenance flow release must be made which is equal to the lesser of:
 - (i) a release rate of 800 ML/day; or
 - (ii) the maximum release rate obtainable from the outlet valves when fully

open;

for a period of two hours continuously from Lake Lyell in accordance with procedures and a timeframe determined in writing by the Minister;

- (d) releases under paragraphs (a) and (b) are not required to be made when an annual channel maintenance flow release is being made in accordance with paragraph (c);
 - (e) releases under paragraphs (a), (b) and (c) are not required to be made when the total active storage in Lake Lyell, Lake Wallace and Thompsons Creek Reservoir is less than 50,000 megalitres;
 - (f) when the total active storage in Lake Lyell, Lake Wallace and Thompsons Creek Reservoir has been less than 50,000 megalitres continuously for less than six months, a daily release of water must be made which is equal to the lesser of daily inflows to Lake Lyell and 9.0 ML/day; and
 - (g) when the total active storage in Lake Lyell, Lake Wallace and Thompsons Creek Reservoir has been less than 50,000 megalitres continuously for six months or more, a daily release of water must be made which is equal to the lesser of daily inflows to Lake Lyell and 5.0 ML/day.
- (10) For the purposes of subclause (9):
- (a) the volume of water released must be calculated by a method approved in writing by the Minister taking into account flows measured at the Coxs River Flow gauge (212011), or such alternative flow reference points as determined in writing by the Minister; and
 - (b) daily inflows into Lake Lyell must be calculated by a method approved in writing by the Minister either:
 - (i) taking into account flows measured at the Coxs River at upstream of Lake Lyell gauge (212058) and Farmers Creek at Mount Walker gauge (212042), or such alternative flow reference points as determined in writing by the Minister; or

- (ii) taking into account changes in water storage levels, net evaporation, other losses and outflows.
 - (11) Subject to subclause (12), in the Upper Nepean and Upstream Warragamba Water Source a daily release of water must be made from Lake Wallace which is equal to 0.7 ML/day. This release requirement may also be met by water released below the Lake Wallace Dam wall from the Wallerawang Power Station cooling towers.
 - (12) Daily releases of water under subclauses (1)-(11) are not required to be made for the respective storage when:
 - (a) the release requirements cannot be met due to an emergency situation and the holder of the water supply work approval notifies the Minister in writing within 7 days of becoming aware of the emergency;
 - (b) the Minister is satisfied that the release requirements cannot be met due to water supply work capacity constraints or necessary maintenance, refurbishment or modification work that has the potential to temporarily affect the flow rate or behaviour of water for a period of more than 24 hours and has granted permission in writing;
 - (c) the Minister requires an alternate release to be made due to an emergency situation or a maintenance activity and has notified this in writing; or
 - (d) the respective storage is spilling at a rate that equals or exceeds the respective release requirement specified in subclauses (1)-(11), provided that in the case of Wingecarribee Reservoir, the storage must be spilling at a rate that equals or exceeds the respective release requirements specified in subclause 32 (1) and clause 33 (1).
 - (13) In the Upper Nepean and Upstream Warragamba Water Source, daily releases of water must be made from Thompsons Creek Reservoir in accordance with the following:
 - (a) between 1 September and 30 April inclusive, a daily release of water must be made which is equal to 0.8 ML/day;
 - (b) between 1 May and 31 August inclusive, a daily release of water must be made
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which is equal to 0.3 ML/day;

- (c) for the purposes of paragraphs (a) and (b), the volume of water released must be calculated by a method approved in writing by the Minister taking into account flows measured at the V Notch Weirs at Thompsons Creek Reservoir, or such alternative flow reference points as determined by the Minister;
 - (d) daily releases of water under this subclause are not required to be made when:
 - (i) the release requirements cannot be met due to an emergency situation and the holder of the water supply work approval notifies the Minister in writing within 7 days of becoming aware of the emergency;
 - (ii) the Minister is satisfied that the release requirements cannot be met due to water supply work capacity constraints or necessary maintenance, refurbishment or modification work that has the potential to temporarily affect the flow rate or behaviour of water for a period of more than 24 hours and has granted permission in writing;
 - (iii) the Minister requires an alternate release to be made due to an emergency situation or a maintenance activity and has notified this in writing; or
 - (iv) Thompsons Creek Reservoir is spilling at a rate that equals or exceeds the respective release requirement under paragraph (a) or (b).
- (14) Subject to subclause (15), the following rules apply to releases by weirs located in the Maldon Weir Management Zone in the Upper Nepean and Upstream Warragamba Water Source:
- (a) a daily release of water must be made from Maldon Weir in the Maldon Weir Management Zone which is equal to the volume of water released in the prior 24-hour period from Pheasants Nest Weir under subclause (7), multiplied by:
 - (i) 1 when the total daily inflows to Cordeaux Dam, Avon Dam and Nepean Dam are greater than the 80th percentile of the total daily inflows to those dams;
 - (ii) 0.9 when the total daily inflows to Cordeaux Dam, Avon Dam and

Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams; or

Note. The factor 0.9 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Douglas Park Weir respectively when the total daily inflows to Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams.

- (iii) 0.8 when the total daily inflows to Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

Note. The factor 0.8 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Maldon Weir and Douglas Park Weir respectively when the total daily inflows to Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

- (15) Daily releases of water under subclause (14) are not required to be made when:
- (a) the release requirements cannot be met due to an emergency situation and the holder of the water supply work approval notifies the Minister in writing within 7 days of becoming aware of the emergency;
 - (b) the Minister is satisfied that the release requirements cannot be met due to water supply work capacity constraints or necessary maintenance, refurbishment or modification work that has the potential to temporarily affect the flow rate or behaviour of water for a period of more than 24 hours and has granted permission in writing;
 - (c) the Minister requires an alternate release to be made due to an emergency situation or a maintenance activity and has notified this in writing;
 - (d) the stage of the weir is less than the stage necessary to deliver the required environmental release over the 24-hour period;
 - (e) Maldon Weir is spilling at a rate that equals or exceeds the applicable release requirement specified in subclause (14); or
 - (f) from Years 1 to 5 of this Plan, the release requirements cannot reasonably be met despite the best endeavours of the holder of the water supply work approval to meet them.
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- (16) If Minister determines that any of the release requirements specified in this clause cannot reasonably be met despite the best endeavours of the holder of the water supply work approval to meet them, the Minister is to conduct a review by the end of Year 5 of this Plan of the factors that prevent the release requirements from being met and the ways in which those factors can be addressed, for the purposes of determining how those those factors should be addressed, whether the system operation rules specified in this clause should be amended and/or whether the water supply works specified in this clause require modification in order to pass the required releases.

33 Releases for other purposes in the Upper Nepean and Upstream Warragamba Water Source

- (1) Subject to subclause (3), in addition to the daily release requirement specified in clause 32 (1), a daily release from Wingecarribee Reservoir into the Wingecarribee River must be made which is equal to 1 ML/day.
- (2) The volume of water released under subclause (1) shall be measured at the Wingecarribee River at Sheepwash Bridge gauge (212275) or at such alternative flow reference points or by such methods as determined in writing by the Minister.
- (3) Daily releases of water under subclause (1) are not required to be made when:
- (a) the release requirements cannot be met due to an emergency situation and the holder of the water supply work approval notifies the Minister in writing within 7 days of becoming aware of the emergency;
 - (b) the Minister is satisfied that the release requirements cannot be met due to water supply work capacity constraints or necessary maintenance, refurbishment or modification work that has the potential to temporarily affect the flow rate or behaviour of water for a period of more than 24 hours and has granted permission in writing;
 - (c) the Minister requires an alternate release to be made due to an emergency situation or a maintenance activity and has notified this in writing; or
 - (d) Wingecarribee Reservoir is spilling at a rate that equals or exceeds the release requirements specified in subclause (1) and clause 32 (1).

34 Environmental flow releases in the Hawkesbury and Lower Nepean Rivers Water Source

(1) Subject to subclause (8), a daily release of water must be made from Menangle Weir in the Menangle Weir Management Zone in the Hawkesbury and Lower Nepean River Water Source which is equal to the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7) plus the volume of water released in the prior 24-hour period from Broughtons Pass Weir under clause 32 (8), multiplied by:

(a) 1 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are greater than the 80th percentile of the total daily inflows to those dams;

(b) 0.9 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams; or

Note. The factor 0.9 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Menangle Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams.

(c) 0.8 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

Note. The factor 0.8 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Menangle Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

(2) Subject to subclause (8), a daily release of water must be made from Camden Weir in the Camden Weir Management Zone in the Hawkesbury and Lower Nepean River Water Source which is equal to the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7), plus the volume of water released in the prior 24-hour period from Broughtons Pass Weir under clause 32 (8), multiplied by:

- (a) 1 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are greater than the 80th percentile of the total daily inflows to those dams;
- (b) 0.878 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams; or

Note. The factor 0.878 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Camden Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams.

- (c) 0.761 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

Note. The factor 0.761 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Camden Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

- (3) Subject to subclause (8), a daily release of water must be made from Sharpes Weir in the Sharpes Weir Management Zone in the Hawkesbury and Lower Nepean River Water Source which is equal to the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7), plus the volume of water released in the prior 24-hour period from Broughtons Pass Weir under clause 32 (8), multiplied by:

- (a) 1 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are greater than the 80th percentile of the total daily inflows to those dams;
 - (b) 0.871 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams; or
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Note. The factor 0.871 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Sharpes Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams.

- (c) 0.748 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

Note. The factor 0.748 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Sharpes Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

- (4) Subject to subclause (8), a daily release of water must be made from Cobbity Weir in the Cobbity Weir Management Zone in the Hawkesbury and Lower Nepean River Water Source which is equal to the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7), plus the volume of water released in the prior 24-hour period from Broughtons Pass Weir under clause 32 (8), multiplied by:

- (a) 1 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are greater than the 80th percentile of the total daily inflows to those dams;
- (b) 0.863 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams; or

Note. The factor 0.863 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Cobbity Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams.

- (c) 0.734 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

Note. The factor 0.734 in the paragraph above accounts for the current best

estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Cobbity Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

- (5) Subject to subclause (8), a daily release of water must be made from Mount Hunter Rivulet Weir in the Mount Hunter Rivulet Weir Management Zone in the Hawkesbury and Lower Nepean River Water Source which is equal to the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7), plus the volume of water released in the prior 24-hour period from Broughtons Pass Weir under clause 32 (8), multiplied by:

- (a) 1 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are greater than the 80th percentile of the total daily inflows to those dams;
- (b) 0.858 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams; or

Note. The factor 0.858 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Mount Hunter Rivulet Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams.

- (c) 0.726 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

Note. The factor 0.726 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Mount Hunter Rivulet Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

- (6) Subject to subclause (8), a daily release of water must be made from Brownlow Hill Weir in the Brownlow Hill Weir Management Zone in the Hawkesbury and Lower Nepean River Water Source which is equal to the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7), plus the volume of water released in the prior 24-hour period from Broughtons Pass Weir under clause
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32 (8), multiplied by:

- (a) 1 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are greater than the 80th percentile of the total daily inflows to those dams;
- (b) 0.856 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams; or

Note. The factor 0.856 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Brownlow Hill Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams.

- (c) 0.734 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

Note. The factor 0.734 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Brownlow Hill Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

- (7) Subject to subclause (8), a daily release of water must be made from Theresa Park Weir in the Theresa Park Weir Management Zone in the Hawkesbury and Lower Nepean River Water Source which is equal to the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7), plus the volume of water released in the prior 24-hour period from Broughtons Pass Weir under clause 32 (8), multiplied by:

- (a) 1 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are greater than the 80th percentile of the total daily inflows to those dams;
- (b) 0.837 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those

dams; or

Note. The factor 0.837 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Theresa Park Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams.

- (c) 0.687 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

Note. The factor 0.687 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Theresa Park Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.

- (8) Daily releases of water under subclauses (1)-(7) are not required to be made for the respective weir when:
- (a) the release requirements cannot be met due to an emergency situation at that weir or an upstream weir and the holder of the water supply work approval notifies the Minister in writing within 7 days of becoming aware of the emergency;
 - (b) the Minister is satisfied that the release requirements cannot be met due to water supply work capacity constraints or necessary maintenance, refurbishment or modification work, at that weir or an upstream weir, that has the potential to temporarily affect the flow rate or behaviour of water for a period of more than 24 hours and has granted permission in writing;
 - (c) the Minister requires an alternate release to be made due to an emergency situation or a maintenance activity at that weir or an upstream weir and has notified this in writing;
 - (d) the stage of the weir is less than the stage necessary to deliver the required environmental release at that weir or an upstream weir over the 24-hour period;
or
 - (e) the respective weir is spilling at a rate that equals or exceeds the respective
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release requirement specified in subclause (1)-(7); or

- (f) from Years 1 to 5 of this Plan, the release requirements cannot reasonably be met despite the best endeavours of the holder of the water supply work approval to meet them.
- (9) Subject to subclause (10), a daily release of water must be made from Wallacia Weir in the Wallacia Weir Management Zone in the Hawkesbury and Lower Nepean River Water Source which is equal to the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7), plus the volume of water released in the prior 24-hour period from Broughtons Pass Weir under clause 32 (8), multiplied by:
- (a) 1 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are greater than the 80th percentile of the total daily inflows to those dams;
- (b) 0.810 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams; or
- Note.** The factor 0.810 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Wallacia Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 80th percentile and greater than the 95th percentile of the total daily inflows to those dams.
- (c) 0.640 when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.
- Note.** The factor 0.640 in the paragraph above accounts for the current best estimate of the natural transmission loss that occurs between Pheasants Nest Weir and Broughtons Pass Weir and the Wallacia Weir Management Zone flow reference point when the total daily inflows to Cataract Dam, Cordeaux Dam, Avon Dam and Nepean Dam are equal to or less than the 95th percentile of the total daily inflows to those dams.
- (10) Daily releases of water under subclause (9) are not required to be made when:
- (a) the release requirements cannot be met due to an emergency situation at that
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- weir or an upstream weir and the holder of the water supply work approval notifies the Minister in writing within 7 days of becoming aware of the emergency;
- (b) the Minister is satisfied that the release requirements cannot be met due to water supply work capacity constraints or necessary maintenance, refurbishment or modification work, at that weir or an upstream weir, that has the potential to temporarily affect the flow rate or behaviour of water for a period of more than 24 hours and has granted permission in writing;
 - (c) the Minister requires an alternate release to be made due to an emergency situation or a maintenance activity at that weir or an upstream weir and has notified this in writing;
 - (d) the stage of the weir is less than the stage necessary to deliver the required environmental release at that weir or an upstream weir over the 24-hour period;
or
 - (e) Wallacia Weir is spilling at a rate that equals or exceeds the applicable release requirement specified in subclause (9); or
 - (f) from Years 1 to 5 of this Plan, the release requirements cannot reasonably be met despite the best endeavours of the holder of the water supply work approval to meet them.
- (11) If Minister determines that any of the release requirements specified in this clause cannot reasonably be met despite the best endeavours of the holder of the water supply work approval to meet them, the Minister is to conduct a review by the end of Year 5 of this Plan of the factors that prevent the release requirements from being met and the ways in which those factors can be addressed, for the purposes of determining how those those factors should be addressed, whether the system operation rules specified in this clause should be amended and/or whether the water supply works specified in this clause require modification in order to pass the required releases.

35 Releases for environmental and town water supply purposes in the Hawkesbury and Lower Nepean Rivers Water Source

- (1) Subject to subclause (4), in addition to the release requirements specified in subclause
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(2), a daily release of water for water supply from the Warragamba Pipeline into Megarritys Creek in the Warragamba River Management Zone must be made which is equal to:

- (a) 25 ML/day from 1 November to 31 March; and
- (b) 17 ML/day from 1 April to 31 October.

Note. 25 ML/day and 17 ML/day are the additional water requirements of Sydney Water Corporation to meet estimated summer and winter demands respectively for water taken by Sydney Water Corporation under its access licence for the Upper Hawkesbury River (Grose River to South Creek) Management Zone to provide for North Richmond's water supply.

- (2) Subject to subclause (4), in addition to the release requirements specified in subclause (1), a daily environmental flow release of water must be made from the Warragamba Pipeline into the Warragamba River in the Warragamba River Management Zone which is equal to 5 ML/day.

Note. The daily environmental flow release of 5 ML/day from Warragamba Dame serves to dilute effluent discharged from Wallacia Sewage Treatment Plant to the Warragamba River.

- (3) For the purposes of subclauses (1) and (2), the volume of water released must be measured in a manner approved in writing by the Minister.
 - (4) Daily releases of water under subclauses (1) and (2) are not required to be made when:
 - (a) the release requirements cannot be met due to an emergency situation and the holder of the water supply work approval notifies the Minister in writing within 7 days of becoming aware of the emergency;
 - (b) the Minister is satisfied that the release requirements cannot be met due to due to water supply work capacity constraints or necessary maintenance, refurbishment or modification work that has the potential to temporarily affect the flow rate or behaviour of water for a period of more than 24 hours and has granted permission in writing;
 - (c) the Minister requires an alternate release to be made due to an emergency situation or a maintenance activity and has notified this in writing; or
 - (d) the respective storage is spilling at a rate that equals or exceeds the respective release requirement specified in subclauses (1) and (2).
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36 Environmental flow releases in the Southern Sydney Rivers Water Source

In the Southern Sydney Rivers Water Source, daily releases of water must be made from Woronora Dam in accordance with the following:

- (a) subject to paragraph (f), when the daily inflows into Lake Woronora are less than or equal to the estimated 80th percentile daily inflow, a daily release of water which is equal to the daily inflows must be made;
- (b) subject to paragraph (f), when the daily inflows into Lake Woronora are greater than the estimated 80th percentile daily inflow, a daily release of water which is equal to the estimated 80th percentile plus 20% of the inflow volume above the 80th percentile daily inflow must be made;
- (c) a high flow release from Woronora Dam shall be made before 1 February each water year in accordance with procedures, rates and duration determined in writing by the Minister;
- (d) for the purposes of paragraphs (a) and (b), daily inflows to Lake Woronora must be calculated by a method approved in writing by the Minister either:
 - (i) taking into account flows measured at the Waratah Rivulet gauge (2132102) and the Woronora River (upstream of Woronora Dam) gauge (2132101), or such alternative flow reference points as determined by the Minister, and an estimate of any other tributary inflows; or
 - (ii) taking into account changes in water storage levels, net evaporation, other losses and outflows;
- (e) for the purposes of paragraphs (a)-(c), the volume of water released must be measured in a manner approved in writing by the Minister;
- (f) daily releases of water under paragraphs (a) and (b) are not required to be made when:
 - (i) the release requirements cannot be met due to an emergency situation and the holder of the water supply work approval notifies the Minister in writing within 7 days of becoming aware of the emergency;

- (ii) the Minister is satisfied that the release requirements cannot be met due to due to water supply work capacity constraints or necessary maintenance, refurbishment or modification work that has the potential to temporarily affect the flow rate or behaviour of water for a period of more than 24 hours and has granted permission in writing;
- (iii) the Minister requires an alternate release to be made due to an emergency situation or a maintenance activity and has notified this in writing;
- (iv) Woronora Dam is spilling at a rate that equals or exceeds the release requirement specified in paragraphs (a) and (b); or
- (v) releases are being made subject to paragraph (c).

37 Environmental contingency allowance rules for these water sources

- (1) An environmental contingency allowance (hereafter *ECA*) account must be kept for Avon Dam, Cataract Dam, Nepean Dam and Cordeaux Dam in the Upper Nepean and Upstream Warragamba Water Source.
 - (2) At the commencement of this Plan and each water year after the first water year in which this Plan has effect, a volume of water may be set aside in Avon Dam, Cataract Dam, Nepean Dam or Cordeaux Dam (or a combination of these dams) and credited to the respective ECA account for these dams
 - (3) Releases of water from the ECA account for Avon Dam, Cataract Dam, Nepean Dam or Cordeaux Dam established under subclause (1) may only be made for the purposes to be determined by the Minister as part of the review in (7).
 - (5) Water credited to an ECA account established under subclause (1) for the purposes described in subclause (3) must be released from the water supply work in accordance with the written direction of the Minister.
 - (6) The ECA account for a water storage must be debited with a volume equal to the amount of water released from that water storage under subclause (3).
 - (7) The Minister may conduct a review of the rules in this clause for the purpose of determining whether those rules should be amended, including identifying the volume
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of the ECA and the environmental purpose(s) for which it should be used.

- (8) The volume of water held in an ECA account established under subclause (1) shall not be carried over from one water year to the next.

38 Banked environmental flow rules for these water sources

- (1) A banked environmental flow (hereafter *BEF*) account is to be kept for each of the following water supply works:
- (a) Tallowa Dam and Fitzroy Falls Reservoir in the Shoalhaven River Water Source;
 - (b) Warragamba Dam, Lilyvale Dam, Wingecarribee Reservoir, Avon Dam, Cataract Dam, Nepean Dam and Cordeaux Dam in the Upper Nepean and Upstream Warragamba Water Source; and
 - (c) Woronora Dam in the Southern Sydney Rivers Water Source.
- (2) Subject to subclause (3), where releases have been altered or were not required because:
- (a) the release requirements cannot be met due to an emergency situation and the holder of the water supply work approval notifies the Minister in writing within 7 days of becoming aware of the emergency;
 - (b) the Minister is satisfied that the release requirements cannot be met due to due to water supply work capacity constraints or necessary maintenance, refurbishment or modification work that has the potential to temporarily affect the flow rate or behaviour of water for a period of more than 24 hours and has granted permission in writing; or
 - (c) the Minister requires an alternate release to be made due to an emergency situation or a maintenance activity and has notified this in writing;

the difference between the recorded release and the required release shall be set aside in the water storage of the respective water supply work and credited to the respective BEF account established for the water supply work from which the release could not be made or was altered in accordance with the requirements of the Minister.

- (3) Water required to be credited to a BEF account under subclause (2) for a water supply work in the Upper Nepean and Upstream Warragamba Water Source may be credited to any BEF account in the Upper Nepean and Upstream Warragamba Water Source in accordance with the written approval of the Minister. In deciding whether to provide approval, the Minister may take into account system and infrastructure connectivity and operational constraints.
- (4) Water credited to a BEF account must be released from the water supply work in accordance with the written direction of the Minister.
- (5) The volume of water credited to the BEF account must be:
 - (a) debited by the amount of a release made in accordance with subclause (4);
 - (b) reset to zero if any water is spilling from the water supply work; and
 - (c) reduced at a rate of 1% of the volume of water remaining in the BEF account per day; and
 - (d) any reductions under (a)-(c) are limited so that the BEF account cannot have a negative balance.

Note. The 1% reduction rate accounts for evaporation and other losses and mitigates potential risks to the reliability of the potable water supply as a result of the long-term storage of banked environmental water.

39 Environmental flows reference group for these water sources

- (1) This Plan establishes an environmental flows reference group for these water sources, to be appointed by the Minister.
- (2) The environmental flows reference group has the purpose of providing advice to the Minister on releases made from the ECA accounts under clause 37 (5) and the BEF accounts under clause 38 (4).

Note. The Environmental Flows and River Health Outcomes group (or a suitable alternative group established in the future) will be the environmental flows reference group for the Greater Metropolitan Region Unregulated River Water Sources at the commencement of this Plan.

Part 7 Limits to the availability of water

Division 1 Long-term average annual extraction limit

40 General

The availability of water for extraction in these water sources on a long-term basis is to be managed in accordance with this Part.

41 Volume of the long-term average annual extraction limits

- (1) This clause establishes long-term average annual extraction limits by reference to the EMUs specified in clause 6.
- (2) For each extraction management unit, the following separate long-term average annual extraction limits are established:
 - (a) a long-term average annual extraction limit for basic landholder rights and access licences excluding major utility access licences held by the Sydney Catchment Authority; and
 - (b) a long-term average annual extraction limit for major utility access licences held by the Sydney Catchment Authority.
- (3) Subject to any variation under subclauses (6) and (7), the long-term average annual extraction limit established under subclause (2) (a) for the Shoalhaven River Extraction Management Unit, the Illawarra Rivers Extraction Management Unit, the Southern Sydney Rivers Extraction Management Unit and the Northern Sydney Rivers Extraction Management Unit is the sum of:
 - (a) the share components of all access licences in the respective extraction management unit at the commencement of this Plan, excluding major utility access licences held by the Sydney Catchment Authority; plus
 - (b) the estimated annual water requirements pursuant to basic landholder rights in the respective extraction management unit at the commencement of this Plan; plus

- (c) the share components of access licences granted in the respective extraction management unit under the provisions of the Regulation relating to access licences for tidal pool water sources.

Note. The Regulation will provide for the creation of new access licences that authorise the taking of tidal pool water from water sources in the EMUs listed in subclause (3) (for which no entitlement has previously been required under the *Water Act 1912*).

- (4) Subject to any variation under subclauses (6) and (7), the long-term average annual extraction limit established under subclause (2) (a) for the Upper Nepean and Upstream Warragamba Extraction Management Unit and the Hawkesbury and Lower Nepean Rivers Extraction Management Unit is equal to:

- (a) the estimated annual extraction of water averaged over the period from July 1993 to June 1999 under entitlements issued under Part 2 of the *Water Act 1912* in the respective extraction management unit, excluding entitlements held by the Sydney Catchment Authority that were replaced by a major utility access licence on commencement of this Plan; plus
- (b) an estimate of annual extraction of water under domestic and stock rights and native title rights in the respective extraction management unit at the commencement of this Plan; plus
- (c) the share components of access licences granted in the respective extraction management unit under the Regulation that authorise the taking of tidal pool water for which no entitlement was required under the *Water Act 1912*.

Notes.

- 1 The Regulation will provide for the creation of new access licences that authorise the taking of tidal pool water from water sources in the EMUs listed in subclause (4) and for which no entitlement has previously been required under the *Water Act 1912*.
- 2 The long-term average annual extraction limit established under subclause (2) (a) for the Upper Nepean and Upstream Warragamba Extraction Management Unit is estimated at the commencement of this Plan to be 11 gegalitres.
- 3 The long-term average annual extraction limit established under subclause (2) (a) for the Lower Nepean and Hawkesbury Rivers Extraction Management Unit is estimated at the commencement of this Plan to be 71 gegalitres. The volume of the active component of the access licence held by Sydney Water Corporation within the Hawkesbury and Lower Nepean Rivers Extraction Management Unit is estimated at the commencement of this Plan to be 7,481 ML. The Minister may amend the long-term average annual extraction limit for this EMU under Part 13 to account for growth in use by Sydney Water Corporation to a limit of 5% of average annual usage, estimated to be 374 ML at the commencement of this Plan.

- (5) Subject to any variation under subclause (6), the long-term average annual extraction limit established under subclause (2) (b) in:
 - (a) the Shoalhaven River Extraction Management Unit is equal to 36,000 ML/yr;
 - (b) the Illawarra Rivers Extraction Management Unit is equal to 0 ML/yr;
 - (c) the Upper Nepean and Upstream Warragamba Extraction Management Unit is equal to 581,000 ML/yr;
 - (d) the Hawkesbury and Lower Nepean Rivers Extraction Management Unit is equal to 6,000 ML/yr;
 - (e) the Southern Sydney Rivers Extraction Management Unit is equal to 13,000 ML/yr; and
 - (f) the Northern Sydney Rivers Extraction Management Unit is equal to 0 ML/yr.
- (6) Following the purchase and/or cancellation of an access licence in these water sources, the Minister may vary the respective long-term average annual extraction limit in the affected extraction management unit.
- (7) The long-term average annual extraction limit established under subclause (2) (a) for the Shoalhaven River Extraction Management Unit, the Upper Nepean and Upstream Warragamba Extraction Management Unit and the Hawkesbury and Lower Nepean Rivers Extraction Management Unit may be varied upon the conversion of an access licence in the respective extraction management unit from an unregulated river access licence to an unregulated river (high flow) access licence.
- (8) Any variation made under subclause (7) will result in the long-term average annual extraction limit being reduced by the amount of the cancelled share component of the unregulated river access licence and increased by the amount of the share component of the granted unregulated river (high flow) access licence.

Note. Targeted consultation and notification regarding any amendment to the long-term average annual extraction limit will be undertaken as determined by the Minister.

42 Calculation of current levels of annual extraction

- (1) After each water year, the total volume of water extracted during that water year under
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access licences and pursuant to basic landholder rights, excluding major utility access licences held by the Sydney Catchment Authority, must be calculated for each extraction management unit specified in clause 6 in accordance with subclause (2).

- (2) For the purpose of calculating the total volume of water extracted during a water year, the following must be taken into account:
 - (a) all water taken by holders of all categories of access licence in the extraction management unit, except for those access licences to which section 8C of the Act relates;
 - (b) all water taken pursuant to basic landholder rights; and
 - (c) water allocations assigned from an access licence that is not a major utility access licence held by the Sydney Catchment Authority in the extraction management unit to a major utility access licence held by the Sydney Catchment Authority in the extraction management unit under section 71T of the Act.
 - (3) After each water year the total volume of water extracted during that water year under major utility access licences held by the Sydney Catchment Authority must be calculated for each extraction management unit specified in clause 6 in accordance with subclause (4).
 - (4) For the purposes of calculating the total volume of water extracted during a water year, the following must be taken into account:
 - (a) all water taken under major utility access licences held by the Sydney Catchment Authority in the extraction management unit, except for those access licences to which section 8C of the Act relates; and
 - (b) water allocations assigned to a major utility access licence that is not held by the Sydney Catchment Authority in the extraction management unit from a major utility access licence held by the Sydney Catchment Authority in the extraction management unit under section 71T of the Act.
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43 Assessment of average annual extraction against the long-term average annual extraction limit

- (1) An assessment of average annual extractions against:
 - (a) the long-term average annual extraction limit established under clause 41 (2) (a) is to be conducted for each extraction management unit as set out in subclause (2); and
 - (b) the long-term average annual extraction limit established under subclause 41 (2) (b) is to be conducted for each extraction management unit as set out in subclause (3).
- (2) For each extraction management unit, commencing in the sixth water year in which this Plan has effect, the assessments referred to in subclause (1) (a) must compare the long-term average annual extraction limit established in clause 41 (2) (a) against the annual extraction calculated under clause 42 (1) averaged over the preceding five water years.
- (3) For each extraction management unit, commencing in the tenth water year in which this Plan has effect, the assessments referred to in subclause (1) (b) are to compare the long-term average annual extraction limit established in clause 41 (2) (b) against the annual extraction calculated in clause 42 (3) averaged over the preceding ten water years (including years prior to the commencement of this Plan) in the respective extraction management unit.

44 Compliance with the long-term average annual extraction limits

- (1) Compliance with the long-term average annual extraction limits established for each extraction management unit specified in clause 6 of this Plan is to be managed in accordance with this clause.
 - (2) Commencing in the sixth water year in which this Plan has effect, if in the Minister's opinion the assessment under clause 43 (1) (a) demonstrates that annual extractions in the respective extraction management unit averaged over the preceding five water years has exceeded the long-term average annual extraction limit established under clause 41 (2) (a) for that extraction management unit by 5% or more, then the available water determination for unregulated river access licences and unregulated
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river (high flow) access licences in that extraction management unit are to be reduced in the following water year in accordance with subclause (3).

- (3) The reduction under subclause (2) is to be of an amount that is, in the Minister's opinion, necessary to return average annual extractions in the respective extraction management unit to the long-term average annual extraction limit established in this Part.
- (4) Commencing in the tenth water year in which this Plan has effect, if in the Minister's opinion the assessment under clause 43 (1) (b) demonstrates that annual extractions in the respective extraction management unit averaged over the preceding ten water years (including years prior to the commencement of this Plan) has exceeded the long-term average annual extraction limit established under clause 41 (2) (b) for that extraction management unit, then a review is to be undertaken by the Minister which considers:
 - (a) the Sydney Catchment Authority's urban water supply requirements; and
 - (b) the impacts associated with an increase in the respective long-term average annual extraction limit.

Division 2 Available water determinations

45 General

- (1) Available water determinations for access licences with a share component that specifies one of these water sources are to be expressed as either:
 - (a) a percentage of share component for access licences which have share components specified as megalitres per year; or
 - (b) megalitres per unit share for access licences which have share components specified as a number of unit shares.
 - (2) Subject to subclause (3), the sum of available water determinations made for any access licence with a share component that specifies one of these water sources must not, in any water year, exceed:
 - (a) 100% of the access licence share component or such lower amount that results
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from Division 1 of this Part, for all access licences where share components are specified as megalitres per year; or

- (b) 1 megalitre per unit share of the access licence share component or such lower amount that results from Division 1 of this Part, for all access licences where share components are specified as a number of unit shares.
- (3) For the first water year of this Plan, subclause (2) does not apply to domestic and stock access licences, local water utility access licences, unregulated river access licences and unregulated river (high flow) access licences with a share component that specifies one of these water sources.

46 Available water determinations for domestic and stock access licences

- (1) In making available water determinations under section 59 of the Act for domestic and stock access licences, the Minister should consider the rules in this clause.
- (2) At the commencement of this Plan, an available water determination of 200% of the access licence share component should be made for domestic and stock access licences with a share component that specifies one of these water sources.
- (3) At the commencement of each water year after the first water year in which this Plan has effect, an available water determination of 100% of the access licence share component should be made for domestic and stock access licences with a share component that specifies one of these water sources.

47 Available water determinations for local water utility access licences

- (1) In making available water determinations under section 59 of the Act for local water utility access licences, the Minister should consider the rules in this clause.
 - (2) At the commencement of this Plan, an available water determination of 200% of the access licence share component should be made for local water utility access licences with a share component that specifies one of these water sources.
 - (3) At the commencement of each water year after the first water year in which this Plan has effect, an available water determination of 100% of the access licence share component should be made for local water utility access licences with a share
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component that specifies one of these water sources.

48 Available water determinations for major utility (subcategory “Urban water”) access licences

- (1) In making available water determinations under section 59 of the Act for major utility (subcategory “Urban water”) access licences, the Minister should consider the rules in this clause.
- (2) At the commencement of this Plan and at the commencement of each water year after the first water year in which this Plan has effect, an available water determination of 100% of the access licence share component should be made for major utility (subcategory “Urban water”) access licences with a share component that specifies one of these water sources.

49 Available water determinations for major utility (subcategory “Power generation”) access licences

- (1) In making available water determinations under section 59 of the Act for major utility (subcategory “Power generation”) access licences, the Minister should consider the rules in this clause.
- (2) At the commencement of this Plan and at the commencement of each water year after the first water year in which this Plan has effect, an available water determination of 100% of access licence share component should be made for major utility (subcategory “Power generation”) access licences with a share component that specifies the Shoalhaven River Water Source.
- (3) At the commencement of this Plan and at the commencement of each water year after the first water year in which this Plan has effect, an available water determination of 100% of access licence share component should be made for major utility (subcategory “Power generation”) access licences with a share component that specifies the Upper Nepean and Upstream Warragamba Water Source.

50 Available water determinations for unregulated river access licences

- (1) In making available water determinations under section 59 of the Act for unregulated river access licences, the Minister should consider the rules in this clause.
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- (2) At the commencement of this Plan, an available water determination of 2 ML per unit of share component should be made for unregulated river access licences with a share component that specifies one of these water sources.
- (3) At the commencement of each water year after the first water year in which this Plan has effect, an available water determination of 1 ML per unit of share component, or such lower amount that results from Division 1 of this Part, should be made for unregulated river access licences with a share component that specifies one of these water sources.

Note. Where the long-term average annual extraction limit has been exceeded, then the available water determination for unregulated river access licences will be reduced in accordance with Division 1 of this Part.

51 Available water determinations for unregulated river (high flow) access licences

- (1) In making available water determinations under section 59 of the Act for unregulated river (high flow) access licences, the Minister should consider the rules in this clause.
- (2) At the commencement of this Plan, an available water determination of 2 ML per unit of share component should be made for unregulated river (high flow) access licences with a share component that specifies one of these water sources.
- (3) At the commencement of each water year after the first water year in which this Plan has effect, an available water determination of 1 ML per unit of share component, or such lower amount that results from Division 1 of this Part, should be made for unregulated river (high flow) access licences with a share component that specifies one of these water sources.

Note. Where the long-term average annual extraction limit has been exceeded, then the available water determination for unregulated river (high flow) access licences will be reduced in accordance with Division 1 of this Part.

Part 8 Rules for granting access licences

Note. This Part is made in accordance with sections 20, 61 and 63 of the Act. Access licences granted in these water sources will be subject to mandatory conditions and discretionary conditions.

52 Specific purpose access licences

- (1) Applications for specific purpose access licences other than those permitted under the Regulation may not be made in these water sources, except for an unregulated river (subcategory “Aboriginal community development”) access licence for the taking of water from B Class flows only in any of the following water sources and management zones:
 - (a) Upper Shoalhaven River Management Zone in the Shoalhaven River Water Source;
 - (b) one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source:
 - (i) Colo River Management Zone;
 - (ii) Capertee River Management Zone;
 - (iii) Macdonald River Management Zone;
 - (iv) Lower South Creek Management Zone;
 - (v) Upper South Creek Management Zone; and
 - (vi) Cattai Creek Management Zone; and
 - (c) one of the following management zones in the Upper Nepean and Upstream Warragamba Water Source:
 - (i) Wywandy Management Zone;
 - (ii) Dharabuladh Management Zone;
 - (iii) Kowmung River Management Zone; and

- (iv) Kedumba River Management Zone.
- (2) A specific purpose access licence must not be granted in these water sources unless the Minister is satisfied that the share and extraction component of the access licence is the minimum required to meet the circumstances in which the access licence is proposed to be used.
- (3) An unregulated river (subcategory “Aboriginal community development”) access licence must not be granted in the following management zones or water sources if the granting of the licence would cause the total share components of all unregulated river (subcategory “Aboriginal community development”) access licences to exceed:
- (a) 218 ML/year in the Upper Shoalhaven River Management Zone in the Shoalhaven River Water Source; or
 - (b) in one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source:
 - (i) 500 ML/year in the Colo River Management Zone;
 - (ii) 66 ML/year in the Capertee River Management Zone;
 - (iii) 192 ML/year in the Macdonald River Management Zone;
 - (iv) 402 ML/year in the Lower South Creek Management Zone;
 - (v) 48 ML/year in the Upper South Creek Management Zone; and
 - (vi) 81 ML/year in the Cattai Creek Management Zone; and
 - (c) in one of the following management zones in the Upper Nepean and Upstream Warragamba Water Source:
 - (i) 40 ML/year in the Wywandy Management Zone;
 - (ii) 40 ML/year in the Dharabuladh Management Zone;
 - (iii) 40 ML/year in the Jenolan River Management Zone;
 - (iv) 40 ML/year in the Kowmung River Management Zone; and
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- (v) 40 ML/year in the Kedumba River Management Zone.

Note. An unregulated river (subcategory “Aboriginal community development”) access licence will not be fully transferable. Allocations under these licences will be able to be traded to non-Aboriginal people, however the license itself can only be traded amongst Aboriginal people, and as such will remain in the Aboriginal community for the life of the licence. These licences will not be able to be converted to any other category of licence. Aboriginal communities, enterprises and individuals are encouraged to seek financial assistance from funding bodies to purchase other categories of access licences if they require fully transferable licences.

- (4) An unregulated river (subcategory “Aboriginal cultural”) access licence must not be granted in these water sources unless the share component of the proposed access licence is less than or equal to 10 ML/year. This subclause does not apply to the following management zones in the Upper Nepean and Upstream Warragamba Water Source:

- (a) Wywandy Management Zone;
- (b) Dharabuladh Management Zone;
- (c) Jenolan River Management Zone;
- (d) Kowmung River Management Zone; and
- (e) Kedumba River Management Zone.

- (5) An unregulated river (subcategory “Aboriginal cultural”) access licence must not be granted in the following management zones in the Upper Nepean and Upstream Warragamba Water Source if the granting of the licence would cause the total share components of all unregulated river (subcategory “Aboriginal cultural”) access licences, to exceed:

- (a) 40 ML/year in the Wywandy Management Zone;
- (b) 40 ML/year in the Dharabuladh Management Zone;
- (c) 40 ML/year in the Jenolan River Management Zone;
- (d) 40 ML/year in the Kowmung River Management Zone; and
- (e) 40 ML/year in the Kedumba River Management Zone.

- (6) An unregulated river (subcategory “Aboriginal cultural”) access licence should not be
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granted under subclause (5), unless the Minister has sought the advice of the Wiradjuri native title claimants (where applicable) and the Gundungarra Tribal Council Aboriginal Corporation (or Gundungarra descendents).

Notes.

- 1 The Regulation will provide for the creation of new access licences that authorise the taking of tidal pool water from the Shoalhaven River Water Source, the Illawarra Rivers Water Source, the Hawkesbury and Lower Nepean Rivers Water Source, the Southern Sydney Rivers Water Source and the Northern Sydney Rivers Water Source for which no entitlement has previously been required under the *Water Act 1912*.
- 2 Part 13 allows for amendments to be made to this clause.

Part 9 Rules for managing access licences

Division 1 Water allocation account management rules

53 General

The rules in this Division apply to the taking of water under an access licence with a share component that specifies one of these water sources.

Note. The Act provides for the keeping of water allocation accounts. The rules in this Division impose further limits on the water that may be taken under an access licence over a specified period of time. These limits are in addition to any other limits on access licences for the taking of water contained in this Plan. For further clarification, these rules do not authorise the taking of more water than is credited to the respective water allocation account for the access licence at the time water is taken. It is an offence under the Act to take more water than is credited to the water allocation account for an access licence.

54 Individual access licence account management rules

- (1) For the period of the first three water years in which this Plan has effect, the maximum volume of water that may be taken under a domestic and stock access licence, a local water utility access licence, an unregulated river access licence or an unregulated river (high flow) access licence must not exceed a volume equal to:
 - (a) 50% of the water allocations accrued to the water allocation account for the access licence from available water determinations in the first water year; plus
 - (b) the sum of water allocations accrued to the water allocation account for the access licence from available water determinations in the second and third water years; plus
 - (c) the net amount of any water allocations assigned to or from the water allocation account for the access licence under section 71T of the Act in those years; plus
 - (d) any water allocations re-credited to the water allocation account for the access licence in accordance with section 76 of the Act in those years.
 - (2) For the period of any three consecutive water years after the first water year in which this Plan has effect, the maximum volume of water that may be taken under a domestic and stock access licence, a local water utility access licence, an unregulated river access licence or an unregulated river (high flow) access licence must not exceed
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a volume equal to the lesser of:

- (a) the sum of:
 - (i) water allocations accrued to the water allocation account for the access licence from available water determinations in those three water years;
 - (ii) the water allocations carried over from the water year prior to those three water years under subclause (4);
 - (iii) the net amount of any water allocations assigned to or from the water allocation account for the access licence under section 71T of the Act in those years three water years; and
 - (iv) any water allocations re-credited to the water allocation account for the access licence in accordance with section 76 of the Act in those three water years; or
 - (b) the sum of:
 - (i) the share component of the access licence at the beginning of the first of those three water years;
 - (ii) the share component of the access licence at the beginning of the second of those three water years;
 - (iii) the share component of the access licence at the beginning of the third of those three water years;
 - (iv) the net amount of any water allocations assigned to or from the water allocation account for the access licence under section 71T of the Act in those three water years; and
 - (v) any water allocations re-credited to the water allocation account for the access licence in accordance with section 76 of the Act in those three water years.
- (3) In any water year, the maximum volume of water that may be taken under a major utility access licence in these water sources may not exceed a volume equal to:
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- (a) the sum of water allocations accrued under the access licence from available water determinations in that year; plus
 - (b) the net amount of any water allocations assigned to or from the water allocation account for the access licence under section 71T of the Act in that year; plus
 - (c) any water allocations re-credited to the water allocation account for the access licence in accordance with section 76 of the Act in that year.
- (4) The maximum water allocation that can be carried over in the water allocation account for a domestic and stock access licence, a local water utility access licence, an unregulated river access licence or an unregulated river (high flow) access licence in these water sources, from one water year to the next is equal to:
- (a) 100% of the access licence share component, for access licences with share components expressed as ML/year; or
 - (b) 1 ML per unit share of access licence share component, for access licences with share components expressed as a number of unit shares.
- (5) Water allocations remaining in the water allocation account for a major utility access licence in these water sources cannot be carried over from one water year to the next.

Division 2 Flow classes and daily access rules

55 General

The rules in this Division apply to the taking of water under an access licence with a share component that specifies one of these water sources.

Note. Part 13 allows for amendments to be made to Division 2 of Part 9.

56 Flow classes

- (1) This Plan establishes the flow classes specified in Column 3 of Table C as the basis for the sharing of flows on a daily basis in these water sources.
 - (2) The flow classes in Column 3 and the flow reference points specified or referred to in Column 6 of Table C, are established for each water source specified in Column 1 and
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each management zone specified in Column 2 of Table C.

- (3) The flow classes commence in the year specified in Column 4 of Table C.
- (4) A flow class applies in the respective water source or management zone on the day specified in Column 7 of Table C when flows (the flow of water in ML/day) as measured at the flow reference point specified in Column 6 of Table C are equal to the flow specified in Column 5 of Table C and/or meet any other conditions specified in the Column.
- (5) For the purpose of Table C:
- (a) *Year 1 of this Plan* means from the date of commencement of this Plan; and
- (b) *Year 6 of this Plan* means from 1 July 2016.

Notes.

- 1 The flow classes, flow reference points, water sources or management zones to which a flow class applies, or any other matter listed in Table C may be amended as provided for in Part 13 of this Plan.
- 2 Only those water sources for which flow classes have been established at the commencement of this Plan are shown in Table C.

Table C – Flow Classes

Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
Shoalhaven River Water Source	Upper Shoalhaven River Management Zone	Very Low Flow Class	Year 1 of this Plan	10 ML/day or less on a rising river or 5 ML/day or less on a falling river	Shoalhaven River at Kadoona gauge (215008)	Same day
		Very Low Flow Class	Year 6 of this Plan	14 ML/day or less on a rising river or 10 ML/day or less on a falling river		Same day
		A Class	Year 1 of this Plan	More than 10 ML/day and 45 ML/day or less on a rising river or more than 5 ML/day and 45 ML/day or less on a falling river		Same day

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Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
		A Class	Year 6 of this Plan	More than 14 ML/day and 45 ML/day or less on a rising river or more than 10 ML/day and 45 ML/day or less on a falling river		Same day
		B Class	Year 1 of this Plan	More than 45 ML/day		Same day
	Mid Shoalhaven River Management Zone	Very Low Flow Class	Year 1 of this Plan	46 ML/day or less on a rising river or 24 ML/day or less on a falling river	Shoalhaven River at Warri gauge (215002)	Same day
		Very Low Flow Class	Year 6 of this Plan	63 ML/day or less on a rising river or 48 ML/day or less on a falling river		Same day
		A Class	Year 1 of this Plan	More than 46 ML/day on a rising river or more than 24 ML/day on a falling river		Same day
		A Class	Year 6 of this Plan	More than 63 ML/day on a rising river or more than 48 ML/day on a falling river		Same day
	Reedy Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	0.6 ML/day or less on a rising river or 0.2 ML/day or less on a falling river	Reedy Creek at Manar gauge (215238)	Same day
		A Class	Year 1 of this Plan	More than 0.6 ML/day on a rising river or more than 0.2 ML/day on a falling river		Same day
	Boro Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	3.2 ML/day or less	Boro Creek at Marlowe gauge (215239)	Same day
		A Class	Year 1 of this Plan	More than 3.2 ML/day		Same day
	Mongarlowe River Management Zone	Very Low Flow Class	Year 1 of this Plan	12.8 ML/day or less on a rising river or 7.6 ML/day or less on a falling river	Mongarlowe River at Mongarlowe gauge (215210)	Same day

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Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
		A Class	Year 1 of this Plan	More than 12.8 ML/day on a rising river or more than 7.6 ML/day on a falling river		Same day
	Corang and Endrick Rivers Management Zone	Very Low Flow Class	Year 1 of this Plan	2 ML/day on a rising river or 0.6 ML/day on a falling river	Corang River at Hockeys gauge (215004)	Same day
		A Class	Year 1 of this Plan	More than 2 ML/day on a rising river or more than 0.6 ML/day on a falling river		Same day
	Bungonia Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	0.2 ML/day or less	Bungonia Creek at Bungonia gauge (215014)	Same day
		A Class	Year 1 of this Plan	More than 0.2 ML/day		Same day
	Shoalhaven River Gorge Management Zone	Very Low Flow Class	Year 1 of this Plan	77 ML/day or less on a rising river or 40 ML/day or less on a falling river	Shoalhaven River at Fossickers Flat gauge (215207)	Same day
		A Class	Year 1 of this Plan	More than 77 ML/day on a rising river or more than 40 ML/day on a falling river		Same day
	Lower Kangaroo River Management Zone	Very Low Flow Class	Year 1 of this Plan	7 ML/day or less on a rising river or 5.4 ML/day or less on a falling river	Kangaroo River at Hampden Bridge gauge (215220)	Same day
		A Class	Year 1 of this Plan	More than 7 ML/day on a rising river or more than 5.4 ML/day on a falling river		Same day

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Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
	Yarrunga Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	1 Where releases are being made under clause 28 (1) (a), when flows are equal to or less than those releases; or 2 Where releases are not being made under clause 28 (1) (a); or 3 Where clause 28 (1) (b) applies and flows are equal to or less than the required release under clause 28 (1) (a)	Points for determining releases as specified in clause 28 (1)	Same day
		A Class	Year 1 of this Plan	1 Where releases are being made under clause 28 (1) (a), when flows are more than those releases; or 2 Where clause 28 (1) (b) applies and flows are more than the required release under clause 28 (1) (a)		Same day
	Fitzroy Falls Management Zone	Very Low Flow Class	Year 1 of this Plan	0.4 ML/day or less	Yarrunga Creek at Wildes Meadow gauge (215233)	Same day
		A Class	Year 1 of this Plan	More than 0.4 ML/day		Same day
	Lower Shoalhaven River Management Zone	Very Low Flow Class	Year 1 of this Plan	69 ML/day or less	Shoalhaven River at Grassy Gully No 2 gauge (215216)	Same day
		A Class	Year 1 of this Plan	More than 69 ML/day		Same day
	Bomaderry Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	1 ML/day or less on a rising river or 0.4 ML/day or less on falling river	Bomaderry Creek at Bomaderry gauge (215016)	Same day

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Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies	
	Broughton Creek Management Zone	A Class	Year 1 of this Plan	More than 1 ML/day on a rising river or more than 0.4 ML/day on a falling river	Broughton Creek at "The Oaks" gauge (215017)	Same day	
		Very Low Flow Class	Year 1 of this Plan	1 ML/day or less on a rising river or 0.4 ML/day or less on a falling river		Same day	
		A Class	Year 1 of this Plan	More than 1 ML/day and 24 ML/day or less on a rising river or more than 0.4 ML/day, and 24 ML/day or less on a falling river		Same day	
		B Class	Year 1 of this Plan	More than 24 ML/day		Same day	
	Broughton Mill Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	0.4 ML/day or less	Broughton Creek at Berry gauge (215015)	Same day	
		A Class	Year 1 of this Plan	More than 0.4 ML/day and 24 ML/day or less		Same day	
		B Class	Year 1 of this Plan	More than 24 ML/day		Same day	
	Jaspers Brush Creek and Tributaries Management Zone	Very Low Flow Class	Year 1 of this Plan	No visible flow	Causeway Culvert on Martinvale Road	Same day	
		A Class	Year 1 of this Plan	Visible flow		Same day	
	Illawarra Rivers Water Source	Minnamurra River Management Zone	Very Low Flow Class	Year 1 of this Plan	1 ML/day or less	Minnamurra River at Browns Lane gauge (214010)	Same day
			Very Low Flow Class	Year 6 of this Plan	3 ML/day or less		Same day
			A Class	Year 1 of this Plan	More than 1 ML/day and 19 ML/day or less		Same day
A Class			Year 6 of this Plan	More than 3 ML/day and 6.4 ML/day or less	Same day		
B Class			Year 1 of this Plan	More than 19 ML/day	Same day		
B Class			Year 6 of this Plan	More than 6.4 ML/day and 19 ML/day or less	Same day		
C Class			Year 6 of this Plan	More than 19 ML/day	Same day		
Macquarie Rivulet Management Zone		Very Low Flow Class	Year 1 of this Plan	6.5 ML/day or less on a rising river or 4.8 ML/day or less on a falling river	Macquarie Rivulet at Albion Park gauge (214003)	Same day	

Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011

Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
		Very Low Flow Class	Year 6 of this Plan	8.0 ML/day or less on a rising river or 6.5 ML/day or less on a falling river		Same day
		A Class	Year 1 of this Plan	More than 6.5 ML/day and 20.8 ML/day or less on a falling river or more than 4.8 ML/day and 20.8 ML/day or less on a falling river		Same day
		A Class	Year 6 of this Plan	More than 8.0 ML/day and 9 ML/day or less on a rising river or more than 6.5 ML/day and 9 ML/day or less on a falling river		Same day
		B Class	Year 1 of this Plan	More than 20.8 ML/day		Same day
		B Class	Year 6 of this Plan	More than 9 ML/day and 20.8 ML/day or less		Same day
		C Class	Year 6 of this Plan	More than 20.8 ML/day		Same day
		Upper Nepean and Upstream Warragamba Water Source	Mulwaree River Management Zone	Very Low Flow Class		Year 1 of this Plan
A Class	Year 1 of this Plan			More than 1 ML/day	Same day	
Upper Wollondilly River Management Zone	Very Low Flow Class		Year 1 of this Plan	1 ML/day or less	Wollondilly River at Murrays Flat gauge (2122711)	Same day
	Very Low Flow Class		Year 6 of this Plan	2 ML/day or less		Same day
	A Class		Year 1 of this Plan	More than 1 ML/day		Same day
	A Class		Year 6 of this Plan	More than 2 ML/day and 6 ML/day or less		Same day
	B Class		Year 6 of this Plan	More than 6 ML/day and 33 ML/day or less		Same day
	C Class		Year 6 of this Plan	More than 33 ML/day		Same day
Lower Wollondilly River Management Zone	Very Low Flow Class		Year 1 of this Plan	3 ML/day or less on a rising river or 1 ML/day or less on a falling river	Wollondilly River at Golden Valley gauge (212271)	Same day

Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011

Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
		Very Low Flow Class	Year 6 of this Plan	5 ML/day or less on a rising river or 3 ML/day or less on a falling river		Same day
		A Class	Year 1 of this Plan	More than 3 ML/day on a rising river or more than 1 ML/day on a falling river		Same day
		A Class	Year 6 of this Plan	More than 5 ML/day on a rising river or more than 3 ML/day on a falling river		Same day
	Upper Wingecarribee River Management Zone	Very Low Flow Class	Year 1 of this Plan	6 ML/day or less	Wingecarribee River at Bong Bong Weir gauge (212031)	Same day
		Very Low Flow Class	Year 6 of this Plan	9 ML/day or less		Same day
		A Class	Year 1 of this Plan	More than 6 ML/day and 32 ML/day or less		Same day
		A Class	Year 6 of this Plan	More than 9 ML/day and 14 ML/day or less		Same day
		B Class	Year 1 of this Plan	More than 32 ML/day		Same day
		B Class	Year 6 of this Plan	More than 14 ML/day and 32 ML/day or less		Same day
		C Class	Year 6 of this Plan	More than 32 ML/day		Same day
	Lower Wingecarribee River Management Zone	Very Low Flow Class	Year 1 of this Plan	16 ML/day or less on a rising river or 12 ML/day or less on a falling river	Wingecarribee River at Greenstead gauge (212009)	Same day
		Very Low Flow Class	Year 6 of this Plan	16 ML/day or less		Same day
		A Class	Year 1 of this Plan	More than 16 ML/day and 63 ML/day or less on a rising river or more than 12 ML/day and 63 ML/day or less on a falling river		Same day
		A Class	Year 6 of this Plan	More than 16 ML/day and 24 ML/day or less		Same day
		B Class	Year 1 of this Plan	More than 63 ML/day		Same day

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Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
		B Class	Year 6 of this Plan	More than 24 ML/day and 63 ML/day or less		Same day
		C Class	Year 6 of this Plan	More than 63 ML/day		Same day
	Nattai River Management Zone	Very Low Flow Class	Year 1 of this Plan	2.5 ML/day or less	Nattai River at the Craggs gauge (2122801)	Same day
		A Class	Year 1 of this Plan	More than 2.5 ML/day		Same day
	Little River Management Zone	Very Low Flow Class	Year 1 of this Plan	3 ML/day or less	Little River at the Fire Road W41 gauge (2122809)	Same day
		A Class	Year 1 of this Plan	More than 3 ML/day		Same day
	Werriberri Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	2 ML/day or less	Werriberri Creek at Werombi gauge (212244)	Same day
		A Class	Year 1 of this Plan	More than 2 ML/day		Same day
	Maldon Weir Management Zone	Very Low Flow Class	Year 1 of this Plan	The sum of the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7) and Broughtons Pass Weir under clause 32 (8) is greater than zero, and the stage of the weir is less than the signal stage	Nepean River at Maldon Weir gauge (212208)	Same day
		A Class	Year 1 of this Plan	All times when flows are not in the Very Low Flow Class		Same day
	Maguires Crossing Management Zone	Very Low Flow Class	Year 1 of this Plan	14 ML/day or less	Nepean River at Maguires Crossing gauge (212209)	Same day
		A Class	Year 1 of this Plan	More than 14 ML/day		Same day
	Stonequarry Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	0.4 ML/day or less on a rising river or 0.3 ML/day or less on a falling river	Stonequarry Creek at Picton gauge (212053)	Same day
		Very Low Flow Class	Year 6 of this Plan	0.7 ML or less on a rising river or 0.6 ML/day or less on a falling river		Same day

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Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
		A Class	Year 1 of this Plan	More than 0.4 ML/day on a rising river or more than 0.3 ML/day on a falling river		Same day
		A Class	Year 6 of this Plan	More than 0.7 ML/day on a rising river or more than 0.6 ML/day on a falling river		Same day
	Wywandy Management Zone	Very Low Flow Class	Year 1 of this Plan	4 ML/day or less on a rising river or 2 ML/day or less on a falling river	Coxs River at Wallerawang Power Station gauge (212054)	Same day
		A Class	Year 1 of this Plan	More than 4 ML/day and 6 ML/day or less on a rising river or more than 2 ML/day and 6 ML/day or less on a falling river		Same day
		B Class	Year 1 of this Plan	More than 6 ML/day and 14 ML/day or less		Same day
		C Class	Year 1 of this Plan	More than 14 ML/day		Same day
	Dharabuladh Management Zone	Very Low Flow Class	Year 1 of this Plan	17 ML/day or less on a rising river or 15 ML/day or less on a falling river	Coxs River at Island Hill gauge (212045)	Same day
		A Class	Year 1 of this Plan	More than 17 ML/day and 28 ML/day or less on a rising river or more than 15 ML/day 28 ML/day or less on a falling river		Same day
		B Class	Year 1 of this Plan	More than 28 ML/day and 73 ML/day or less		Same day
		C Class	Year 1 of this Plan	More than 73 ML/day and 87 ML/day or less		Same day
		D Class	Year 1 of this Plan	More than 87 ML/day		Same day

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Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
Hawkesbury and Lower Nepean Rivers Water Source	Menangle Weir Management Zone	Very Low Flow Class	Year 1 of this Plan	The sum of the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7) and Broughtons Pass Weir under clause 32 (8) is greater than zero, and the stage of the weir is less than the signal stage	Nepean River at Sydney Catchment Authority's Mengangle Weir stage gauge	Same day
		A Class	Year 1 of this Plan	All times when flows are not in the Very Low Flow Class		Same day
	Camden Weir Management Zone	Very Low Flow Class	Year 1 of this Plan	The sum of the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7) and Broughtons Pass Weir under clause 32 (8) is greater than zero, and the stage of the weir is less than the signal stage	Nepean River at Sydney Catchment Authority's Camden Weir stage gauge	Same day
		A Class	Year 1 of this Plan	All times when flows are not in the Very Low Flow Class		Same day

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Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
	Sharpes Weir Management Zone	Very Low Flow Class	Year 1 of this Plan	The sum of the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7) and Broughtons Pass Weir under clause 32 (8) is greater than zero, and the stage of the weir is less than the signal stage	Nepean River at Sydney Catchment Authority's Sharpes Weir stage gauge	Same day
		A Class	Year 1 of this Plan	All times when flows are not in the Very Low Flow Class		Same day
	Cobbity Weir Management Zone	Very Low Flow Class	Year 1 of this Plan	The sum of the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7) and Broughtons Pass Weir under clause 32 (8) is greater than zero, and the stage of the weir is less than the signal stage	Nepean River at Sydney Catchment Authority's Cobbity Weir stage gauge	Same day
		A Class	Year 1 of this Plan	All times when flows are not in the Very Low Flow Class		Same day

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Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
	Mount Hunter Rivulet Weir Management Zone	Very Low Flow Class	Year 1 of this Plan	The sum of the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7) and Broughtons Pass Weir under clause 32 (8) is greater than zero, and the stage of the weir is less than the signal stage	Nepean River at Sydney Catchment Authority's Mount Hunter Rivulet Weir stage gauge	Same day
		A Class	Year 1 of this Plan	All times when flows are not in the Very Low Flow Class		Same day
	Brownlow Hill Weir Management Zone	Very Low Flow Class	Year 1 of this Plan	The sum of the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7) and Broughtons Pass Weir under clause 32 (8) is greater than zero, and the stage of the weir is less than the signal stage	Nepean River at Sydney Catchment Authority's Brownlow Hill Weir stage gauge	Same day
		A Class	Year 1 of this Plan	All times when flows are not in the Very Low Flow Class		Same day

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Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
	Theresa Park Weir Management Zone	Very Low Flow Class	Year 1 of this Plan	The sum of the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7) and Broughtons Pass Weir under clause 32 (8) is greater than zero, and the stage of the weir is less than the signal stage	Nepean River at Sydney Catchment Authority's Theresa Park Weir stage gauge	Same day
		A Class	Year 1 of this Plan	All times when flows are not in the Very Low Flow Class		Same day
	Wallacia Weir Management Zone	Very Low Flow Class	Year 1 of this Plan	The sum of the volume of water released in the prior 24-hour period from Pheasants Nest Weir under clause 32 (7) and Broughtons Pass Weir under clause 32 (8) is greater than zero, and the stage of the weir is less than the signal stage	Nepean River at Sydney Catchment Authority's Wallacia Weir stage gauge	Same day
		A Class	Year 1 of this Plan	All times when flows are not in the Very Low Flow Class		Same day
	Lower Nepean River Management Zone	Very Low Flow Class	Year 1 of this Plan	The Very Low Flow Class as defined in clause 56 (6)	Nepean River at Yarramundi gauge (2122001)	Same day
		Very Low Flow Class	Year 6 of this Plan	The Very Low Flow Class as defined in clause 56 (7)		Same day
		A Class	Year 1 of this Plan	A Class is defined as clause 56 (8)		Same day

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Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
		A Class	Year 6 of this Plan	A Class as defined as clause 56 (9)		Same day
		B Class	Year 1 of this Plan	B Class as defined as clause 56 (10)		Same day
		B Class	Year 6 of this Plan	B Class as defined as clause 56 (11)		Same day
	Warragamba River Management Zone	Very Low Flow Class	Year 1 of this Plan	From 1 November to 31 March, 30 ML/day or less From 1 April to 31 October, 22 ML/day or less	Discharge point from Warragamba Dam into Megarritys Creek	Same day
		A Class	Year 1 of this Plan	From 1 November to 31 March, more than 30 ML/day From 1 April to 31 October, more than 22 ML/day		Same day
	Grose River Management Zone	Very Low Flow Class	Year 1 of this Plan	30 ML/day or less on a rising river or 24 ML/day or less on a falling river	Grose River at Burralow gauge (212291)	Same day
		Very Low Flow Class	Year 6 of this Plan	30 ML/day or less		Same day
		A Class	Year 1 of this Plan	More than 30 ML/day on a rising river or more than 24 ML/day on a falling river		Same day
		A Class	Year 6 of this Plan	More than 30 ML/day		Same day
	Colo River Management Zone	Very Low Flow Class	Year 1 of this Plan	24 ML/day or less	Colo River at Upper Colo gauge (212290)	Same day
		A Class	Year 1 of this Plan	More than 24 ML/day and 244 ML/day or less		Same day
		B Class	Year 1 of this Plan	More than 244 ML/day		Same day
	Capertee River Management Zone	Very Low Flow Class	Year 1 of this Plan	2 ML/day or less	Capertee River at Glen Davis gauge (212018)	Same day
		A Class	Year 1 of this Plan	More than 2 ML/day and 11 ML/day or less		Same day
		B Class	Year 1 of this Plan	More than 11 ML/day		Same day
	Upper Hawkesbury River (Grose River to South)	Very Low Flow Class	Year 1 of this Plan	The Very Low Flow Class as defined in clause 56 (13)	Gauges as specified in clause 56 (13) – (14)	Same day

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Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies
	Creek) Management Zone	A Class	Year 1 of this Plan	A Class as defined in clause 56 (14)		Same day
	Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone	Very Low Flow Class	Year 1 of this Plan	The Very Low Flow Class as defined in clause 56 (15)	Gauges as specified in clause 56 (15) – (16)	Same day
		A Class	Year 1 of this Plan	A Class as defined in clause 56 (16)		Same day
	Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone	Very Low Flow Class	Year 1 of this Plan	The Very Low Flow Class as defined in clause 56 (17)	Gauges as specified in clause 56 (17) – (18)	Same day
		A Class	Year 1 of this Plan	A Class as defined in clause 56 (18)		Same day
	Lower Hawkesbury River Management Zone	Very Low Flow Class	Year 1 of this Plan	The Very Low Flow Class as defined in clause 56 (19)	Gauges as specified in clause 56 (19) – (20)	Same day
		A Class	Year 1 of this Plan	A Class as defined in clause 56 (20)		Same day
	Macdonald River Management Zone	Very Low Flow Class	Year 1 of this Plan	1 ML/day or less	MacDonald River at St Albans gauge (212010)	Same day
		A Class	Year 1 of this Plan	More than 1 ML/day and 16 ML/day or less		Same day
		B Class	Year 1 of this Plan	More than 16 ML/day		Same day
	Upper South Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	0.2 ML/day or less	South Creek at the Great Western Highway gauge (212048)	Same day
		A Class	Year 1 of this Plan	More than 0.2 ML/day and 6.2 ML/day or less		Same day
		B Class	Year 1 of this Plan	More than 6.2 ML/day		Same day
	Lower South Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	3 ML/day or less	South Creek at Richmond Road gauge (212297)	Same day
		A Class	Year 1 of this Plan	More than 3 ML/day and 58 ML/day or less		Same day
		B Class	Year 1 of this Plan	More than 58 ML/day		Same day
	Cattai Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	3 ML/day or less	Cattai Creek at Cattai Ridge Road gauge (2122951)	Same day
		A Class	Year 1 of this Plan	More than 3 ML/day and 15 ML/day or less		Same day
		B Class	Year 1 of this Plan	More than 15 ML/day		Same day

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Column 1 Water Source	Column 2 Management Zone	Column 3 Flow Class	Column 4 Commencement	Column 5 Flow (ML/day)	Column 6 Flow Reference Point	Column 7 Day on which flow class applies	
Southern Sydney Rivers Water Source	Lower Woronora River Management Zone	Very Low Flow Class	Year 1 of this Plan	1 Where releases are being made under clause 36, when flows are less than those releases, or 2 When releases are not being made under clause 36	Points for determining releases as specified in clause 36	Same day	
		A Class	Year 1 of this Plan	Where releases are being made under clause 36, when flows are more than those releases		Same day	
	Lower Georges River and Bunbury Curran Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	0.25 ML/day or less	Bunbury Curran Creek at Railway Parade gauge (213012)	Same day	
		Very Low Flow Class	Year 6 of this Plan	0.3 ML/day or less		Same day	
		A Class	Year 1 of this Plan	More than 0.25 ML/day and 5.7 ML/day or less		Same day	
		A Class	Year 6 of this Plan	More than 0.3 ML/day and 5.7 ML/day or less		Same day	
		B Class	Year 1 of this Plan	More than 5.7 ML/day		Same day	
	Cabramatta Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	0.1 ML/day or less	Cabramatta Creek at Orange Grove gauge (213011)	Same day	
		A Class	Year 1 of this Plan	More than 0.1 ML/day and 2.4 ML/day or less		Same day	
		B Class	Year 1 of this Plan	More than 2.4 ML/day		Same day	
	Prospect Creek Management Zone	Very Low Flow Class	Year 1 of this Plan	1.6 ML/day or less	Prospect Creek at Smithfield Road gauge (213009)	Same day	
		A Class	Year 1 of this Plan	More than 1.6 ML/day		Same day	
	Northern Sydney Rivers Water Source	Upper Parramatta River Management Zone	Very Low Flow Class	Year 1 of this Plan	1 ML/day or less	Toongabbie Creek at Briens Road gauge (213005)	Same day
			A Class	Year 1 of this Plan	More than 1 ML/day		Same day

Notes.

1. For Shoalhaven River at Kadoona gauge (215008):

- 5 ML/day corresponds to the estimated 98th percentile flow;

- 10 ML/day corresponds to the estimated 90th percentile flow;
 - 14 ML/day corresponds to the estimated 85th percentile flow; and
 - 45 ML/day corresponds to the estimated 50th percentile flow.
2. For Shoalhaven River at Warri gauge (215002):
 - 24 ML/day corresponds to the estimated 95th percentile flow;
 - 46 ML/day corresponds to the estimated 90th percentile flow;
 - 48 ML/day corresponds to the estimated 89th percentile flow; and
 - 63 ML/day corresponds to the estimated 85th percentile flow.
 3. For Reedy Creek at Manar gauge (215238):
 - 0.2 ML/day corresponds to the estimated 95th percentile flow; and
 - 0.6 ML/day corresponds to the estimated 90th percentile flow.
 4. For Boro Creek at Marlowe gauge (215239), 3.2 ML/day corresponds to the estimated 95th percentile flow.
 5. For Mongarlowe River at Mongarlowe gauge (215210):
 - 7.6 ML/day corresponds to the estimated 95th percentile flow; and
 - 12.8 ML/day corresponds to the estimated 90th percentile flow.
 6. For Corang River at Hockeys gauge (215004):
 - 0.6 ML/day corresponds to the estimated 95th percentile flow; and
 - 2 ML/day corresponds to the estimated 90th percentile flow.
 7. For Bungonia Creek at Bungonia gauge (215014), 0.2 ML/day corresponds to the estimated 90th percentile flow.
 8. For Shoalhaven River at Fossickers Flat gauge (215207):
 - 40 ML/day corresponds to the estimated 95th percentile flow; and
 - 77 ML/day corresponds to the estimated 90th percentile flow.
 9. For Kangaroo River at Hampden Bridge gauge (215220):
 - 5.4 ML/day corresponds to the estimated 98.5th percentile flow; and
 - 7 ML/day corresponds to the estimated 98th percentile flow.
 10. For Yarrunga Creek at Wildes Meadow gauge (215233):
 - 0.4 ML/day corresponds to the estimated 98th percentile flow; and
 - 1.3 ML/day corresponds to the estimated 90th percentile flow.
 11. For Shoalhaven River at Grassy Gully No. 2 gauge (215216), 69 ML/day corresponds to the estimated 95th percentile flow.
 12. For Bomaderry Creek at Bomaderry gauge (215016):
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- 0.4 ML/day corresponds to the estimated 80th percentile flow; and
 - 1 ML/day corresponds to the estimated 75th percentile flow.
13. For Broughton Creek at "The Oaks" gauge (215017):
- 0.4 ML/day corresponds to the estimated 90th percentile flow;
 - 1 ML/day corresponds to the estimated 88th percentile flow; and
 - 24 ML/day corresponds to the estimated 50th percentile flow.
14. For Broughton Creek at Berry gauge (215015):
- 0.4 ML/day corresponds to the estimated 90th percentile flow; and
 - 24 ML/day corresponds to the estimated 50th percentile flow.
15. For Minnamurra River at Browns Lane gauge (214010):
- 1 ML/day corresponds to the estimated 95th percentile flow;
 - 3 ML/day corresponds to the estimated 90th percentile flow;
 - 6.4 ML/day corresponds to the estimated 80th percentile flow; and
 - 19 ML/day corresponds to the estimated 50th percentile flow.
16. For Macquarie Rivulet at Albion Park gauge (214003):
- 4.8 ML/day corresponds to the estimated 95th percentile flow;
 - 6.5 ML/day corresponds to the estimated 90th percentile flow;
 - 8.0 ML/day corresponds to the estimated 85th percentile flow;
 - 9.0 ML/day corresponds to the estimated 80th percentile flow; and
 - 20.8 ML/day corresponds to the estimated 50th percentile flow.
17. For Mulwaree River at the Towers gauge (2122725), 1 ML/day corresponds to the estimated 90th percentile flow.
18. For Wollondilly River at Murrays Flat gauge (2122711):
- 1 ML/day corresponds to the estimated 95th percentile flow;
 - 2 ML/day corresponds to the estimated 90th percentile flow;
 - 6 ML/day corresponds to the estimated 80th percentile flow; and
 - 33 ML/day corresponds to the estimated 50th percentile flow.
19. For Wollondilly River at Golden Valley gauge (212271):
- 1 ML/day corresponds to the estimated 95th percentile flow;
 - 3 ML/day corresponds to the estimated 90th percentile flow; and
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- 5 ML/day corresponds to the estimated 85th percentile flow.
20. For Wingecarribee River at Bong Bong Weir gauge (212031):
- 6 ML/day corresponds to the estimated 95th percentile flow;
 - 9 ML/day corresponds to the estimated 90th percentile flow;
 - 14 ML/day corresponds to the estimated 80th percentile flow; and
 - 32 ML/day corresponds to the estimated 50th percentile flow.
21. For Wingecarribee River at Greenstead gauge (212009):
- 12 ML/day corresponds to the estimated 95th percentile flow;
 - 16 ML/day corresponds to the estimated 90th percentile flow;
 - 24 ML/day corresponds to the estimated 80th percentile flow; and
 - 63 ML/day corresponds to the estimated 50th percentile flow.
22. For Natti River at the Craggs gauge (2122801), 2.5 ML/day corresponds to the estimated 95th percentile flow.
23. For Little River at the Fire Road W41 gauge (2122809), 3 ML/day corresponds to the estimated 95th percentile flow.
24. For Werriberri Creek at Werombi gauge (212244), 2 ML/day corresponds to the estimated 95th percentile flow.
25. For Nepean River at Maguires Creek gauge (212209), 14 ML/day corresponds to the estimated 80th percentile flow.
26. For Stonequarry Creek at Picton gauge (212053):
- 0.3 ML/day corresponds to the estimated 95th percentile flow;
 - 0.4 ML/day corresponds to the estimated 90th percentile flow;
 - 0.6 ML/day corresponds to the estimated 80th percentile flow; and
 - 0.7 ML/day corresponds to the estimated 75th percentile flow.
27. For Coxs River at Wallerawang Power Station gauge (212054):
- 2 ML/day corresponds to the estimated 95th percentile flow;
 - 4 ML/day corresponds to the estimated 93rd percentile flow;
 - 6 ML/day corresponds to the estimated 90th percentile flow; and
 - 14 ML/day corresponds to the estimated 74th percentile flow.
28. For Coxs River at Island Hill gauge (212045):
- 15 ML/day corresponds to the estimated 94th percentile flow;
 - 17 ML/day corresponds to the estimated 93rd percentile flow;
 - 28 ML/day corresponds to the estimated 86th percentile flow;
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- 73 ML/day corresponds to the estimated 56th percentile flow; and
 - 87 ML/day corresponds to the estimated 50th percentile flow.
29. For Grose River at Burralow gauge (212291):
- 24 ML/day corresponds to the estimated 95th percentile flow; and
 - 30 ML/day corresponds to the estimated 90th percentile flow.
30. For Colo River at Upper Colo gauge (212290):
- 24 ML/day corresponds to the estimated 95th percentile flow; and
 - 244 ML/day corresponds to the estimated 50th percentile flow.
31. For Capertee River at Glen Davis gauge (212018):
- 2 ML/day corresponds to the estimated 80th percentile flow; and
 - 11 ML/day corresponds to the estimated 50th percentile flow.
32. For MacDonald River at St Albans gauge (212010):
- 1 ML/day corresponds to the estimated 80th percentile flow; and
 - 16 ML/day corresponds to the estimated 50th percentile flow.
33. For South Creek at the Great Western Highway gauge (212048):
- 0.2 ML/day corresponds to the estimated 90th percentile flow; and
 - 6.2 ML/day corresponds to the estimated 50th percentile flow.
34. For South Creek at Richmond Road gauge (212297):
- 3 ML/day corresponds to the estimated 80th percentile flow; and
 - 58 ML/day corresponds to the estimated 50th percentile flow.
35. For Cattai Creek at Cattai Ridge Road gauge (2122951):
- 3 ML/day corresponds to the estimated 95th percentile flow; and
 - 15 ML/day corresponds to the estimated 50th percentile flow.
36. For Bunbury Curran Creek at Railway Parade gauge (213012):
- 0.25 ML/day corresponds to the estimated 95th percentile flow;
 - 0.3 ML/day corresponds to the estimated 90th percentile flow; and
 - 5.7 ML/day corresponds to the estimated 50th percentile flow.
37. For Cabramatta Creek at Orange Grove gauge (213011):
- 0.1 ML/day corresponds to the estimated 85th percentile flow; and
 - 2.4 ML/day corresponds to the estimated 50th percentile flow.
38. For Prospect Creek at Smithfield Road gauge (213009), 1.6 ML/day corresponds to the
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estimated 95th percentile flow.

39. For Toongabbie Creek at Briens Road gauge (213005), 1 ML/day corresponds to the estimated 96th percentile flow.
40. The flow percentiles above refer to flows at the gauge and include all days of record.

- (6) From Years 1 to 5 of this Plan, the Very Low Flow Class for the Lower Nepean River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source is when flows in the Nepean River at Yarramundi gauge (2122001) are equal to or less than $(A \times 0.9) + (B \times C)$. For the purposes of this subclause:

A = the volume of water released from Wallacia Weir over the previous 24-hour period under clause 34 (9);

B = the respective factor specified in Column 2 of Table D when total inflows to Avon Dam, Cataract Dam, Cordeaux Dam and Nepean Dam are at the percentile specified in Rows (a)-(f) of Column 1 of Table D, or for intermediate percentiles to those specified in Rows (a)-(f) of Column 1 of Table D, the factor derived by linear interpolation between the two factors specified in Column 2 of Table D;

C = the volume of water released from St Marys Water Recycling Plant to the Nepean River over the previous 24-hour period; and

- (7) Subject to subclause (12), from Year 6 of this Plan, the Very Low Flow Class for the Lower Nepean River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source is when flows in the Nepean River at Yarramundi gauge (2122001) are equal to or less than $(A \times 0.9) + (B \times C) + D$. For the purposes of this subclause:

A = the volume of water released from Wallacia Weir over the previous 24-hour period under clause 34 (9);

B = the respective factor specified in Column 2 of Table D when total inflows to Avon Dam, Cataract Dam, Cordeaux Dam and Nepean Dam are at the percentile specified in Rows (a)-(f) of Column 1 of Table D, or for intermediate percentiles to those specified in Rows (a)-(f) of Column 1 of Table D, the factor derived by linear interpolation between the two factors specified in Column 2 of Table D;

C = the volume of water released from St Marys Water Recycling Plant to the

Nepean River over the previous 24-hour period;

D = the lesser of gauged tributary inflows between Warragamba Dam and the confluence of the Nepean River and the Grose River or the 95th percentile for those gauged tributary inflows.

- (8) From Years 1 to 5 of this Plan, A Class for the Lower Nepean River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source is when flows in the Nepean River at Yarramundi gauge (2122001) are greater than $(A \times 0.9) + (B \times C)$ and equal to or less than $(A \times 0.9) + (B \times C) + E$. For the purposes of this subclause:

A = the volume of water released from Wallacia Weir over the previous 24-hour period under clause 34 (9);

B = the respective factor specified in Column 2 of Table D when total inflows to Avon Dam, Cataract Dam, Cordeaux Dam and Nepean Dam are at the percentile specified in Rows (a)-(f) of Column 1 of Table D, or for intermediate percentiles to those specified in Rows (a)-(f) of Column 1 of Table D, the factor derived by linear interpolation between the two factors specified in Column 2 of Table D;

C = the volume of water released from St Marys Water Recycling Plant to the Nepean River over the previous 24-hour period; and

E = 25 ML from 1 November to 31 March and 17 ML from 1 April to 31 October.

- (9) Subject to subclause (12), from Year 6 of this Plan, A Class for the Lower Nepean River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source is when flows in the Nepean River at Yarramundi gauge (2122001) are greater than $(A \times 0.9) + (B \times C) + D$ and equal to or less than $(A \times 0.9) + (B \times C) + D + E$. For the purposes of this subclause:

A = the volume of water released from Wallacia Weir over the previous 24-hour period under clause 34 (9);

B = the respective factor specified in Column 2 of Table D when total inflows to Avon Dam, Cataract Dam, Cordeaux Dam and Nepean Dam are at the percentile specified in Rows (a)-(f) of Column 1 of Table D, or for intermediate

percentiles to those specified in Rows (a)-(f) of Column 1 of Table D, the factor derived by linear interpolation between the two factors specified in Column 2 of Table D;

C = the volume of water released from St Marys Water Recycling Plant to the Nepean River over the previous 24-hour period;

D = the lesser of gauged tributary inflows between Warragamba Dam and the confluence of the Nepean River and the Grose River or the 95th percentile for those gauged tributary inflows; and

E = 25 ML from 1 November to 31 March and 17 ML from 1 April to 31 October.

- (10) From Years 1 to 5 of this Plan, B Class for the Lower Nepean River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source is when flows in the Nepean River at Yarramundi gauge (2122001) are greater than $(A \times 0.9) + (B \times C) + E$. For the purposes of this subclause:

A = the volume of water released from Wallacia Weir over the previous 24-hour period under clause 34 (9);

B = the respective factor specified in Column 2 of Table D when total inflows to Avon Dam, Cataract Dam, Cordeaux Dam and Nepean Dam are at the percentile specified in Rows (a)-(f) of Column 1 of Table D, or for intermediate percentiles to those specified in Rows (a)-(f) of Column 1 of Table D, the factor derived by linear interpolation between the two factors specified in Column 2 of Table D;

C = the volume of water released from St Marys Water Recycling Plant to the Nepean River over the previous 24-hour period; and

E = 25 ML from 1 November to 31 March and 17 ML from 1 April to 31 October.

- (11) Subject to subclause (12), from Year 6 of this Plan, B Class for the Lower Nepean River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source is when flows in the Nepean River at Yarramundi gauge (2122001) are greater than $(A \times 0.9) + (B \times C) + D + E$. For the purposes of this subclause:

- A = the volume of water released from Wallacia Weir over the previous 24-hour period under clause 34 (9);
- B = the respective factor specified in Column 2 of Table D when total inflows to Avon Dam, Cataract Dam, Cordeaux Dam and Nepean Dam are at the percentile specified in Rows (a)-(f) of Column 1 of Table D, or for intermediate percentiles to those specified in Rows (a)-(f) of Column 1 of Table D, the factor derived by linear interpolation between the two factors specified in Column 2 of Table D;
- C = the volume of water released from St Marys Water Recycling Plant to the Nepean River over the previous 24-hour period;
- D = the lesser of gauged tributary inflows between Warragamba Dam and the confluence of the Nepean River and the Grose River or the 95th percentile for those gauged tributary inflows; and
- E = 25 ML from 1 November to 31 March and 17 ML from 1 April to 31 October.

Table D – Distribution factors for water releases from St Marys Water Recycling Plant

	Column 1	Column 2
	Percentile of total inflows to dams	Factor
(a)	100	0.00
(b)	80	0.20
(c)	65	0.56
(d)	55	0.79
(e)	50	0.90
(f)	0	1.00
(g)	All intermediate %iles to the above	Interpolate between the two factors

- (12) Unless hydrologic modelling and analysis and a socioeconomic review conducted prior to Year 6 of this Plan demonstrate that access to very low tributary inflows between Warragamba Dam and the confluence of the Nepean River and the Grose River is not necessary for the ongoing viability of the irrigation industries in the Hawkesbury and Lower Nepean Rivers Water Source, the value of D in subclauses (7), (9) and (11) is 0.
- (13) From Year 1 of this Plan, the Very Low Flow Class for the Upper Hawkesbury River (Grose River to South Creek) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source is when $X_1 + Y_1 + 0.44 \text{ ML} \leq A_1 + B_1$. For the purposes

of this subclause:

X_1 = the flow at Nepean River at Yarramundi gauge (2122001);

Y_1 = the flow at the Grose River at Buralow gauge (212291);

A_1 = the upper limit of the Very Low Flow Class for the Lower Nepean River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
and

B_1 = the upper limit of the Very Low Flow Class for the Grose River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source.

Note. 0.44 ML/day corresponds to the estimate of basic landholder rights within the Upper Hawkesbury River (Grose River to South Creek) Management Zone that will be met through the protection of very low flows from upstream management zones.

(14) From Year 1 of this Plan, A Class for the Upper Hawkesbury River (Grose River to South Creek) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source is when $X_1 + Y_1 + 0.44 \text{ ML} > A_1 + B_1$. For the purposes of this subclause, the values are as specified in subclause (13).

(15) From Year 1 of this Plan, the Very Low Flow Class for the Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source is when $X_2 + Y_2 + 0.22 \text{ ML} \leq A_2 + B_2$. For the purposes of this subclause:

X_2 = $X_1 + Y_1$, as these values are specified in subclause (13);

Y_2 = the flow at the South Creek at Richmond Road gauge (212297);

A_2 = $A_1 + B_1$, as these values are specified in subclause (13); and

B_2 = the upper limit of the Very Low Flow Class for the Lower South Creek Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source.

Note. 0.22 ML/day corresponds to the estimate of basic landholder rights within the Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone that will be met through the protection of very low flows from upstream management zones.

(16) From Year 1 of this Plan, A Class for the Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone in the Hawkesbury and Lower Nepean Rivers Water

Source is when $X_2 + Y_2 + 0.22 \text{ ML} > A_2 + B_2$. For the purposes of this subclause, the values are as specified in subclause (15).

- (17) From Year 1 of this Plan, the Very Low Flow Class for the Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source is when $X_3 + Y_3 + 0.22 \text{ ML} \leq A_3 + B_3$. For the purposes of this subclause:

$X_3 = X_2 + Y_2$, as these values are specified in subclause (15);

$Y_3 =$ the flow at Cattai Creek at Cattai Ridge Road gauge (2122951);

$A_3 = A_2 + B_2$, as these values are specified in subclause (15); and

$B_3 =$ the upper limit of the Very Low Flow Class for the Cattai Creek Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source.

Note. 0.22 ML/day corresponds to the estimate of basic landholder rights within the Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone that will be met through the protection of very low flows from upstream management zones.

- (18) From Year 1 of this Plan, A Class for the Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source is when $X_3 + Y_3 + 0.22 \text{ ML} \leq A_3 + B_3$. For the purposes of this subclause, the values are as specified in subclause (17).

- (19) From Year 1 of this Plan, the Very Low Flow Class for the Lower Hawkesbury River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source is when $X_4 + Y_4 \leq A_4 + B_4$. For the purposes of this subclause:

$X_4 = X_3 + Y_3$, as these values are specified in subclause (17);

$Y_4 =$ the flow at Colo River at Upper Colo gauge (212290);

$A_4 = A_3 + B_3$, as these values are specified in subclause (17); and

$B_4 =$ the upper limit of the Very Low Flow Class for the Colo River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source.

- (20) From Year 1 of this Plan, A Class for the Lower Hawkesbury River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source is when $X_4 + Y_4 \leq$

A₄ + B₄. For the purposes of this subclause, the values are as specified in subclause (19).

57 Access rules for the taking of surface water

(1) Subject to subclause (19), water must not be taken under an access licence with a share component that specifies a water source or an extraction component that specifies a management zone with a Very Low Flow Class that has commenced, when flows in that water source or management zone are in the Very Low Flow Class. This subclause does not apply to the following:

- (a) the taking of water under an access licence to which subclause (5) applies;
- (b) the taking of water under an access licence held by Penrith Lakes Development Corporation as of the date of the commencement of this Plan which has an extraction component that specifies the Lower Nepean River Management Zone;
- (c) the taking of water under an access licence with an extraction component that specifies the Upper Hawkesbury River (Grose River to South Creek) Management Zone, the Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone or the Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source when:
 - (i) flows in that management zone are in the Very Low Flow Class and have been for X consecutive days prior, where X is the number of days specified in Column 1 of Table E for the month specified in Column 2 of Table E; and
 - (ii) the Bureau of Meteorology 4 pm or later forecast for Richmond for the following day is Y, where Y is the atmospheric temperature in degrees Celsius specified in Column 3 of Table E;

for the following 3 consecutive days only; or

- (d) the taking of water under an access licence with an extraction component that specifies the Menangle Weir Management Zone, the Camden Weir

Management Zone, the Sharpes Weir Management Zone, the Cobbity Weir Management Zone, the Mount Hunter Rivulet Weir Management Zone, the Brownlow Hill Weir Management Zone, the Theresa Park Weir Management Zone or the Wallacia Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source when:

- (i) flows in that management zone are in the Very Low Flow Class and have been for X consecutive days prior (where X is the number of days specified in Column 1 of Table E for the month specified in Column 2 of Table E); and
- (ii) the Bureau of Meteorology 4 pm or later forecast for Campbelltown for the following day is Y, where Y is the temperature in degrees Celsius specified in Column 3 of Table E,

for the following 3 consecutive days only.

- (e) At Year 5 of this Plan, the Minister is to conduct a review, in consultation with Industry and Investment NSW and the Department of Environment, Climate Change and Water, of the access rules specified in paragraphs (c) and (d) and subclauses (2) and (3).

Table E – Flow class and climatic conditions

Column 1	Column 2	Column 3
Number of consecutive days of flows in the Very Low Flow Class	Month	Temperature (degrees Celsius)
0	January-December	Less than 4
14	May-August	4 or more and less than 23
9	September-April	4 or more and less than 23
4	January-December	23 or more and less than 28
1	January-December	28 or more and less than 31
0	January-December	31 or more

- (2) The following rules apply only to the taking of water under an access licence to which subclause (1) (c) applies:
 - (a) water taken under subclause (1) (c) must not exceed any individual daily extraction limit for that access licence imposed under clause 60; and
 - (b) following a period of access under subclause (1) (c), for the first X number of days that flows in the respective management zone are in A Class, water taken

must not exceed any individual daily extraction limit for that access licence imposed under clause 60. For the purpose of this paragraph, X is equal to the number of days that water was taken under subclause (1) (c).

- (3) Water taken under subclause (1) (d) must not exceed any individual daily extraction limit for that access licence imposed under clause 60.
- (4) Water must not be taken under an access licence held by Penrith Lakes Development Corporation as of the date of commencement of this Plan which has an extraction component that specifies the Lower Nepean River Management Zone when the flow of water in the Nepean River at the Yarramundi gauge (2122001) is 500 ML/day or less on a rising river or 350 ML/day or less on a falling river.

Note. 500 ML/day corresponds to the estimated 36th percentile flow, and 350 ML/day corresponds to the estimated 50th percentile flow.

- (5) Subject to subclause (19), water must not be taken under an access licence where the cease to pump threshold on the entitlement issued under Part 2 of the *Water Act 1912* that the access licence replaces is, in the Minister's opinion, higher than the upper limit of the relevant Very Low Flow Class (as specified in Column 5 of Table C) or the environmental flow protection rule specified in subclause (12), when flows are at or less than the cease to pump threshold that was specified on the replaced *Water Act 1912* entitlement. In this subclause, ***cease to pump threshold*** means a condition or restriction on the replaced entitlement which places a limit on when water may be taken. This subclause does not apply to access licences with extraction components that specify the following management zones:

- (a) Yarrunga Creek Management Zone in the Shoalhaven River Water Source;
- (b) Maldon Weir Management Zone, Pheasants Nest Weir to Nepean Dam Management Zone, Lower Cataract River Management Zone, Mid Cataract River Management Zone, Avon River Management Zone and the Cordeaux River Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (c) Menangle Management Zone, Camden Weir Management Zone, Sharpes Weir Management Zone, Cobbity Weir Management Zone, Mount Hunter Rivulet Weir Management Zone, Brownlow Hill Weir Management Zone, Theresa Park

Weir Management Zone, Wallacia Weir Management Zone, Lower Nepean River Management Zone, Upper Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone, Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone and the Lower Hawkesbury River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source; and

- (d) Lower Woronora River Management Zone in the Southern Sydney Rivers Water Source.

Note. Those licences and access rules that have been identified as being higher than the upper limit of the relevant Very Low Flow Class are referred to in Appendix 4.

- (6) Water must not be taken from the Coxs River under a major utility (subcategory “Power generation”) access licence held by Delta Electricity with an extraction component that specifies the Wywandy Management Zone in the Upper Nepean and Upstream Warragamba Water Source unless Delta Electricity has first used all available mine water from its storages.

Note. This rule requires Delta Electricity to use all available mine water from its storages supplied by Springvale mines so as to provide a neutral or beneficial environmental impact to the Coxs River.

- (7) Subject to subclause (8), the volume of water taken under a major utility (subcategory “Power generation”) access licence held by Delta Electricity with an extraction component that specifies the Wywandy Management Zone in the Upper Nepean and Upstream Warragamba Water Source must not exceed 23,000 ML/year for that water year.

- (8) If in any water year Delta Electricity’s volume of water available from the Fish River Water Supply is reduced by 30% or more relative to their full share, the volume of water taken under a major utility (subcategory “Power generation”) access licence held by Delta Electricity with an extraction component that specifies the Wywandy Management Zone in the Upper Nepean and Upstream Warragamba Water Source must not exceed 25,000 ML for that water year.

- (9) Water must not be taken under a major utility (subcategory “Urban water”) access licence held by Sydney Water Corporation with an extraction component that specifies the Upper Hawkesbury River (Grose River to South Creek) Management Zone when flows in the Lower Nepean River Management Zone are in the Very Low Flow Class.
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- (10) When flows in the Lower Nepean River Management Zone are in A Class, water must not be taken under a major utility (subcategory “Urban water”) access licence held by Sydney Water Corporation with an extraction component that specifies the Upper Hawkesbury River (Grose River to South Creek) Management Zone at a rate that exceeds 55 ML/day.
- (11) Water must not be taken under an unregulated river (subcategory “Aboriginal community development”) access licence, an unregulated river (subcategory “Aboriginal cultural”) in the Dharabuladh Management Zone of the Upper Nepean and Upstream Warragamba Water Source or an unregulated river (high flow) access licence when flows are in the Very Low Flow Class or A Class.
- (12) Subject to subclause (19), water must not be taken under an access licence if there is no visible flow in the water source at the location at which water is proposed to be taken. The environmental flow protection rule in this subclause does not apply to:
- (i) the taking of water from natural pools, lagoons and lakes to which subclause (16) applies;
 - (ii) the taking of water from Maldon Weir, Douglas Park Weir, Menangle Weir, Camden Weir, Sharpes Weir, Cobbity Weir, Mount Hunter Rivulet Weir, Brownlow Hill Weir, Theresa Park Weir and Wallacia Weir; or
 - (iii) an access licence to which subclause (5) applies.
- (13) Water must not be taken from an in-river dam pool unless the in-river dam is passing such inflows as specified on the water supply work approval for the in-river dam.
- (14) The inflows to be specified on the water supply work approval for the in-river dam referred to in subclause (13) are:
- (a) the inflows that were specified in conditions on the *Water Act 1912* entitlement that the approval replaces; or
 - (b) where no inflows were specified, the amount of inflows determined by the Minister.
- (15) Subject to subclause (19), if flows have not exceeded the upper limit of the Very Low
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Flow Class for a period of 24 or more consecutive hours, then water must not be taken under an access licence with a share component or extraction component that specifies one of the following water sources or management zones for a period of 24 hours after flows next exceed the upper limit of the Very Low Flow Class:

- (a) one of the following management zones in the Shoalhaven River Water Source:
 - (i) the Boro Creek Management Zone;
 - (ii) the Bungonia Creek Management Zone; and
 - (iii) the Broughton Mill Creek Management Zone;
- (b) the Minnamurra River Management Zone in the Illawarra Rivers Water Source;
- (c) one of the following management zones in the Upper Nepean and Upstream Warragamba Water Source:
 - (i) the Mulwaree River Management Zone;
 - (ii) the Upper Wollondilly River Management Zone;
 - (iii) the Upper Wingecarribee River Management Zone;
 - (iv) the Nattai River Management Zone;
 - (v) the Little River Management Zone;
 - (vi) the Werriberri Creek Management Zone; and
 - (vii) the Maguires Crossing Management Zone;
- (d) one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source:
 - (i) the Colo River Management Zone;
 - (ii) the Capertee River Management Zone;
 - (iii) the Macdonald River Management Zone;

- (iv) the Upper South Creek Management Zone; and
 - (v) the Cattai Creek Management Zone;
 - (e) one of the following management zones in the Southern Sydney Rivers Water Source:
 - (i) the Lower Woronora River Management Zone;
 - (ii) the Lower Georges River and Bunbury Curran Creek Management Zone;
 - (iii) the Cabramatta Creek Management Zone; and
 - (iv) the Prospect Creek Management Zone; and
 - (f) the Upper Parramatta River Management Zone in the Northern Sydney Rivers Water Source.
- (16) Subject to subclause (19), water must not be taken under an access licence which nominates a water supply work approval that may be used to take water from natural pools, lagoons or lakes in water sources or management zones in which flow classes have not been established, when the water level in that pool, lagoon or lake is less than 100% of the full containment volume of the respective pool, lagoon or lake as determined by the Minister.
- Note.** *Full containment volume* is defined in the Dictionary.
- (17) Subject to subclause (19), water must not be taken under an access licence specified in Schedule 3 when flows are at or less than the cease to pump threshold that was specified on the entitlement issued under Part 2 of the *Water Act 1912* that the access licence replaces. In this subclause, *cease to pump threshold* means a condition or restriction on the *Water Act 1912* entitlement which places a limit on when water may be taken. Subclauses (1)-(3), (5), (12), (15), (16) and (18) do not apply to access licences to which this subclause applies.
- (18) Subject to subclause (19), water must not be taken under an access licence with an extraction component that specifies the Upper Wollondilly River Management Zone in the Upper Nepean and Upstream Warragamba Water Source when water is being transferred between Pejar Dam and Rossi Weir for Goulburn Mulwaree Council town

water supply.

- (19) Subclauses (1), (5), (12) and (15)–(18) do not apply to the following:
- (a) the taking of water under an access licence to which clause 1 of Schedule 2 applies for any of the purposes listed below, provided that water taken does not exceed 20 kilolitres per day per access licence, or such lower amount specified on the access licence in accordance with subclause (20):
 - (i) fruit washing;
 - (ii) cleaning of dairy plant and equipment for the purpose of hygiene;
 - (iii) poultry watering and misting; or
 - (iv) cleaning of enclosures used for intensive animal production for the purposes of hygiene;
 - (b) the taking of water for domestic consumption only under a domestic and stock access licence or a domestic and stock (subcategory “domestic”) access licence that existed at the commencement of this Plan, for the first 3 years of this Plan;
 - (c) the taking of water for stock watering only under a domestic and stock access licence or a domestic and stock (subcategory “stock”) access licence that existed at the commencement of this Plan, for the first 3 years of this Plan, provided the volume of water taken does not exceed 14 litres per hectare of grazeable area per day;
 - (d) the taking of water using a run-off harvesting dam or from an in-river dam pool excluding the taking of water from Maldon Weir, Douglas Park Weir, Menangle Weir, Camden Weir, Sharpes Weir, Cobbity Weir, Mount Hunter Rivulet Weir, Brownlow Hill Weir, Theresa Park Weir and Wallacia Weir;
 - (e) the taking of water under a local water utility access licence, a major utility access licence or an unregulated river (subcategory “Town water supply”) access licence to which clause 2 of Schedule 2 applies;
 - (f) from years 1 to 5 of this Plan, the taking of water under an access licence with an extraction component that specifies the Lower Nepean River Management
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Zone, the Upper Hawkesbury River (Grose River to South Creek) Management Zone, the Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone or the Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source for the following purposes only:

- (i) to water new plantings of crops for a period of 30 days after planting provided that the volume of water taken does not exceed 15 kL/ha per day of those plantings;
 - (ii) herbicide application to turf provided that the herbicide application to turf is required under contract and provided that the volume of water taken does not exceed the minimum volume specified in the herbicide product guideline;
 - (iii) vegetable and turf washing and misting provided that the volume of water taken does not exceed 20 kL/day per access licence; and
 - (iv) to water turf during the 5 day period prior to harvest provided that the harvest date is required under contract and for wetting the cutting face of turf provided that the volume of water taken does not exceed 15kL/ha per day for that turf.
- (20) The Minister may amend a water supply work approval to reduce the maximum daily volume limit imposed by the rule under subclause (19) (a) if the Minister is satisfied that the reduced volume is satisfactory to meet the purpose referred to in subclause (19) (a).
- (21) The Minister is to complete a review of the volume of water required under subclause 19 (f) by the end of Year 5 of this Plan. From Year 6 of this Plan, the access to water provided by subclause 19 (f) will be removed if hydrologic modelling and analysis shows that the access is not necessary for the ongoing viability of the irrigation industries in the Hawkesbury and Lower Nepean Rivers Water Source.

Note. Part 13 of this Plan allows for amendments to be made to this clause.

58 Total daily extraction limits

- (1) This Plan establishes total daily extraction limits (hereafter *TDELS*) for access
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licences in these water sources as set out in this clause.

- (2) For the purpose of this clause:
 - (a) ***Year 1 of this Plan*** means from the date of commencement of this Plan; and
 - (b) ***Year 6 of this Plan*** means from 1 July 2016.
 - (3) At the commencement of Year 1 of this Plan, TDELs are established in the following management zones in the Upper Nepean and Upstream Warragamba Water Source:
 - (a) in the Wywandy Management Zone:
 - (i) 4 ML/day in A Class for all access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies and major utility access licences;
 - (ii) 8 ML/day in B Class for all access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies and major utility access licences; and
 - (iii) 15 ML/day in C Class for all access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies and major utility access licences; and
 - (b) in the Dharabuladh Management Zone:
 - (i) 10 ML/day in A Class for all access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies;
 - (ii) 20 ML/day in B Class for all access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies; and
 - (iii) 40 ML/day in C Class for all access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies.
 - (4) After each water year, the total volume of water extracted under access licences in the Upper Hawkesbury River (Grose River to South Creek), Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone and Upper Hawkesbury River
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(Cattai Creek to Colo River) Management Zone on each day that the exemption under clause 57 (1) (c) applied is to be calculated.

- (5) If the total extractions calculated under subclause (4) exceeded 105 ML/day on any day that the exemption under clause 57 (1) (c) applied, the Minister is to conduct, in consultation with the Department of Environment, Climate Change and Water, Industry and Investment NSW, an assessment of daily extractions in the management zones specified in subclause (4) for the purpose of determining whether TDEs and/or IDEs should be introduced in those management zones on the days that the exemption under clause 57 (1) (c) and the access limits under clause 57 (2) apply. The assessment is to take into account:
 - (a) the impacts of extractions on the environment and other water users for those days that the exemption under clause 57 (1) (c) applies;
 - (b) the impacts of extractions on saltwater intrusion and other relevant water quality parameters for those days that the exemption under clause 57 (1) (c) applies; and
 - (c) the appropriate TDEs and/or IDEs for those days that the exemption under clause 57 (1) (c) applies to manage any impacts identified under (a) or (b).
 - (6) After each water year, the total volume of water extracted under access licences in the Menangle Weir Management Zone, Camden Weir Management Zone, Sharpes Weir Management Zone, Cobbity Weir Management Zone, Mount Hunter Rivulet Weir Management Zone, Brownlow Hill Weir Management Zone, Theresa Park Weir Management Zone or Wallacia Weir Management Zone on each day that the exemption under clause 57 (1) (d) applied is to be calculated.
 - (7) If the total extractions calculated under subclause (6) exceeded 41 ML/day on any day that the exemption under clause 57 (1) (d) applied, the Minister is to conduct, in consultation with the Department of Environment, Climate Change and Water, Industry and Investment NSW, an assessment of daily extractions in the management zones specified in subclause (6) for the purpose of determining whether TDEs and/or IDEs should be introduced in those management zones on the days that the exemption under clause 57 (1) (d) applies. The assessment is to take into account:
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- (a) the impacts of extractions on the environment and other water users for those days that the exemption under clause 57 (1) (d) applies;
 - (b) the impacts of extractions and relevant water quality parameters for those days that the exemption under clause 57 (1) (d) applies; and
 - (c) the appropriate TDELs and/or IDELs for those days that the exemption under clause 57 (1) (d) applies to manage any impacts identified under (a) or (b).
- (8) At the commencement of Year 6 of this Plan, TDELs are established in these water sources as follows:
- (a) the following management zones in the Illawarra Rivers Water Source:
 - (i) in the Minnamurra River Management Zone, 1.9 ML/day in A Class for all access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies; and
 - (ii) in the Macquarie Rivulet Management Zone, 5.4 ML/day in A Class for all access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies;
 - (b) the following management zones in the Upper Nepean and Upstream Warragamba Water Source:
 - (i) in the Upper Wollondilly River Management Zone:
 - (A) 1.8 ML/day in A Class for all access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies; and
 - (B) 9.9 ML/day in B Class for all access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies;
 - (ii) in the Lower Wingecarribee River and Upper Wingecarribee River Management Zones, 7.2 ML/day in A Class for all access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies.
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- (9) The TDELs specified in subclauses (5) and (7) apply to all rivers within the respective management zones, apart from those rivers identified as minor streams in a harvestable rights order made under section 54 of the Act.

Notes.

- 1 TDELs are an assessment tool only and will be used by the NSW Office of Water to determine which access licences (if any) may require individual daily extraction limits. However, continued exceedence of a TDEL may result in the imposition of individual daily extraction limits under clause 60.
- 2 Part 13 of this Plan allows for amendments to be made to establish TDELs.

59 Assignment of TDELs to categories of access licences

- (1) This Plan assigns TDELs to categories of access licences in these water sources as set out in this clause.
- (2) For the purpose of this clause:
- (a) *Year 1 of this Plan* means from the date of commencement of this Plan; and
- (b) *Year 6 of this Plan* means from 1 July 2016.
- (3) At the commencement of Year 1 of this Plan, TDELs are assigned in the following management zones in the Upper Nepean and Upstream Warragamba Water Source:
- (a) in the Wywandy Management Zone, for A Class:
- (i) 0.01 ML/day for domestic and stock access licences; and
- (ii) 3.99 ML/day for unregulated river access licences;
- (b) in the Wywandy Management Zone, for B Class:
- (i) 0.01 ML/day for domestic and stock access licences; and
- (ii) 4.99 ML/day for unregulated river access licences;
- (c) in the Wywandy Management Zone, for C Class:
- (i) 0.01 ML/day for domestic and stock access licences; and
- (ii) 9.99 ML/day for unregulated river access licences;
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- (d) in the Dharabuladh Management Zone, for A Class:
 - (i) 0.04 ML/day for domestic and stock access licences; and
 - (ii) 9.96 ML/day for unregulated river access licences;
 - (e) in the Dharabuladh Management Zone, for B Class:
 - (i) 0.04 ML/day for domestic and stock access licences; and
 - (ii) 14.96 ML/day for unregulated river access licences;
 - (f) in the Dharabuladh Management Zone, for C Class:
 - (i) 0.04 ML/day for domestic and stock access licences; and
 - (ii) 19.96 ML/day to unregulated river access licences.
- (4) At the commencement of Year 6 of this Plan, TDELS are assigned in these water sources as follows:
- (a) the following management zones in the Illawarra Rivers Water Source:
 - (i) in the Minnamurra River Management Zone, for A Class:
 - (A) 0.10 ML/day for domestic and stock access licences; and
 - (B) 1.80 ML/day for unregulated river access licences;
 - (ii) in the Macquarie Rivulet Management Zone, for A Class:
 - (A) 0.16 ML/day for domestic and stock access licences; and
 - (B) 5.24 ML/day for unregulated river access licences;
 - (b) the following management zones in the Upper Nepean and Upstream Warragamba Water Source:
 - (i) in the Upper Wollondilly River Management Zone, for A Class:
 - (A) 0.02 ML/day for domestic and stock access licences;
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- (B) 1.40 ML/day for local water utility access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies; and
- (C) 0.38 ML/day for unregulated river access licences;
- (ii) in the Upper Wollondilly River Management Zone, for B Class:
 - (A) 0.08 ML/day for domestic and stock access licences;
 - (B) 5.77 ML/day for local water utility access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies; and
 - (C) 4.04 ML/day for unregulated river access licences;
- (iii) in the Upper Wingecarribee River Management Zone, for A Class:
 - (A) 0.06 ML/day for domestic and stock access licences;
 - (B) 0 ML/day for local water utility access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies; and
 - (C) 0.91 ML/day for unregulated river access licences;
- (iv) in the Lower Wingecarribee River Management Zone, for A Class:
 - (A) 0.06 ML/day for domestic and stock access licences;
 - (B) 4.26 ML/day for local water utility access licences, excluding local water utility access licences to which clause 2 of Schedule 2 applies; and
 - (C) 1.91 ML/day for unregulated river access licences.

Note. Part 13 of this Plan allows for amendments to be made to assign TDELs.

60 Individual daily extraction limits

- (1) At the commencement of this Plan, there are no individual daily extraction limits
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(hereafter *IDELs*) established for access licences in these water sources.

- (2) The Minister may amend the extraction component of an access licence under section 68A of the Act or this Plan to impose an IDEL on any access licence with an extraction component in the Upper Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone, Upper Hawkesbury River (Grose River to South Creek) Management Zone, Menangle Weir Management Zone, Camden Weir Management Zone, Sharpes Weir Management Zone, Cobbity Weir Management Zone, Mount Hunter Rivulet Weir Management Zone, Brownlow Hill Weir Management Zone, Theresa Park Weir Management Zone or Wallacia Weir Management Zone.
- (3) If the Minister is satisfied that an assessment of daily extraction under access licences for which a TDEL is established and assigned under clauses 58 and 59 indicates that extraction under the access licences exceeds the TDEL, the Minister may either amend the extraction component of an access licence under section 68A of the Act or this Plan to impose an IDEL on any one or more of those access licences.

Note. Part 13 of this Plan allows for amendments to be made to establish IDELs.

Part 10 Rules for water supply work approvals

Note. This Part is made in accordance with sections 5, 21 and 95 of the Act. Part 13 allows for amendments to be made to Part 10.

61 General

The rules in this Division apply to water supply work approvals for water supply works that may be used to take water from these water sources.

62 Granting or amending water supply work approvals

- (1) A water supply work approval must not be granted or amended to authorise a runoff harvesting dam which, in the Minister's opinion, has a capacity that exceeds the volume of the share components of the access licences that nominate the dam.

Note. *Runoff harvesting dam* is defined in the Dictionary.

- (2) A water supply work approval must not be granted or amended to authorise a water supply work located in:
 - (a) the following hydrological catchments in the Reedy Creek Management Zone in the Shoalhaven River Water Source:
 - (i) the hydrological catchment of the Sandhills Creek at or above the confluence with Mulloon Creek; or
 - (ii) the hydrological catchment of Mulloon Creek, excluding Mulloon Creek, at or above the confluence with Sandhills Creek;
 - (b) the following hydrological catchments in the Upper Nepean and Upstream Warragamba Water Source:
 - (i) the hydrological catchment of the Jenolan River at or above the Pheasants Nest Creek confluence in the Jenolan River Management Zone;
 - (ii) the hydrological catchment of Mares Forest Creek at or above the confluence of Guineacor Creek in the Lower Wollondilly River Management Zone;

- (iii) or the hydrological catchment of the Kowmung River including Tuglow Hole Creek at or above the confluence of Tuglow Hole Creek in the Kowmung River Management Zone;
 - (c) the hydrological catchment of the Crown Creek at or above 231306 Easting and 6324000 Northing in the Colo River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source; or
 - (d) the hydrological catchment of the Wingecarribee River at or below 241565 Easting and 6191498 Northing in the Lower Wingecarribee River Management Zone in the Upper Nepean and Upstream Warragamba Water Source.
- (3) Subject to subclause (4), a water supply work approval must not be granted or amended to authorise a water supply work to take water from a lagoon located in any of the following management zones:
- (a) Upper Hawkesbury River (Grose River to South Creek) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
 - (b) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
 - (c) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
 - (d) Lower Hawkesbury River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
 - (e) Lower Nepean River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source; or
 - (f) Mid Nepean River Catchment Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source.
- (4) Subclause (3) does not apply to the grant or amendment of a water supply work approval for a replacement water supply work to take water from a lagoon located in a management zone specified in subclause (3). For the purposes of this subclause, a ***replacement water supply work*** means a water supply work that replaces an existing
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water supply work constructed and used for the purpose of taking water from a lagoon located in a management zone specified in subclause (3) where:

- (a) the existing water supply work is authorised by a water supply work approval under the Act; and
 - (b) the replacement water supply work is to be constructed to extract water from the same management zone as the existing water supply work.
- (5) A water supply work approval must not be granted or amended to authorise a new in-river dam, except for a new in-river dam that will be nominated by a local water utility access licence or major utility (subcategory “Urban water”) access licence in:
- (a) the following management zones in the Shoalhaven River Water Source:
 - (i) Broughton Creek Management Zone;
 - (ii) Broughton Mill Creek Management Zone;
 - (iii) Jaspers Brush Creek and Tributaries Management Zone;
 - (iv) Lower Shoalhaven River Catchment Management Zone;
 - (v) Lower Shoalhaven River Management Zone;
 - (vi) Lower Kangaroo River Management Zone;
 - (vii) Nerrimunga Creek Management Zone;
 - (viii) Fitzroy Falls Management Zone;
 - (ix) Yarrunga Creek Management Zone;
 - (x) Shoalhaven River Gorge Management Zone;
 - (xi) Mongarlowe River Management Zone;
 - (xii) Boro Creek Management Zone in the;
 - (xiii) Reedy Creek Management Zone; and

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- (xiv) Mid Shoalhaven River Management Zone;
 - (b) the following management zones in the Illawarra Rivers Water Source:
 - (i) Minnamurra Coastal Management Zone;
 - (ii) Minnamurra River Management Zone;
 - (iii) Macquarie Rivulet Management Zone; and
 - (iv) Lake Illawarra Management Zone;
 - (c) the following management zones in the Upper Nepean and Upstream Warragamba Water Source:
 - (i) Lower Wollondilly River Management Zone;
 - (ii) Kowmung River Management Zone;
 - (iii) Upper Wingecarribee River Management Zone;
 - (iv) Lower Wingecarribee River Management Zone; and
 - (v) Mulwaree River Management Zone;
 - (d) the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source:
 - (i) Berowra Creek and Cowan Creek Management Zone;
 - (ii) Colo River Management Zone;
 - (iii) Grose River Management Zone;
 - (iv) Maldon Weir Management Zone;
 - (v) Menangle Weir Management Zone;
 - (vi) Camden Weir Management Zone;
 - (vii) Sharpes Weir Management Zone;
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- (viii) Cobbity Weir Management Zone;
- (ix) Mount Hunter Rivulet Weir Management Zone;
- (x) Brownlow Hill Weir Management Zone;
- (xi) Theresa Park Weir Management Zone;
- (xii) Wallacia Weir Management Zone;
- (xiii) Mid Nepean River Catchment Management Zone;
- (xiv) Lower Nepean River Management Zone;
- (xv) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
- (xvi) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
- (xvii) Upper Hawkesbury River (Cattai Creek to Colo River) Management; and
- (xviii) Lower Hawkesbury River Management Zone;
- (e) the following management zones in the Southern Sydney Rivers Water Source:
 - (i) Lower Georges River and Bunbury Curran Creek Management Zone; and
 - (ii) Cooks River and Botany Bay Management Zone; and
- (f) the following management zones in the Northern Sydney Rivers Water Source:
 - (i) Lower Parramatta River Management Zone; and
 - (ii) Lane Cove River Management Zone.

Notes.

- 1 Except as provided in subclause (5), in-river dams are prohibited in all management zones unless they are already exempt from the requirement for a water supply work approval under the *Water Management (General) Regulation 2004*.
 - 2 A water supply work approval is not required for the construction of an excluded work specified in Schedule 1 of the *Water Management (General) Regulation 2004*.
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Part 11 Access licence dealing rules

63 General

The access licence dealing rules established in this Part apply to all access licence dealings in these water sources.

Notes.

- 1 Access licence dealings in these water sources are subject to the provisions of the Act, the regulations, the access licence dealing principles and the access licence dealing rules established in this Part.
- 2 The *access licence dealing principles* prevail over the access licence dealing rules in this Plan to the extent of any inconsistency, as provided under section 71Z (3) of the Act.
- 3 Part 13 of this Plan allows for amendments to be made to this Part.

64 Conversion of access licence to new category

- (1) This clause relates to dealings under section 71O of the Act in these water sources.
- (2) Dealings under section 71O of the Act are prohibited unless the conversion is from:
 - (a) a domestic and stock access licence to a domestic and stock (domestic only) access licence and a domestic and stock (stock only) access licence, provided that:
 - (i) the sum of the share components of the new domestic and stock (domestic only) and domestic and stock (stock only) access licences being equal to the share component of the cancelled domestic and stock access licence; and
 - (ii) the share component volume of the new domestic and stock (domestic only) access licence being sufficient to meet the needs of domestic consumption as defined in section 52 of the Act;
 - (b) a domestic and stock (stock only) access licence to an unregulated river access licence, provided that the number of unit shares expressed in the share component of the new unregulated river access licence is equal to the number of megalitres per year expressed in the share component of the cancelled domestic

and stock (stock only) access licence; or

(c) an unregulated river access licence to an unregulated river (high flow) access licence in the following management zones:

(i) Upper Shoalhaven River Management Zone in the Shoalhaven River Water Source;

(ii) Broughton Creek Management Zone in the Shoalhaven River Water Source;

(iii) Broughton Mill Creek Management Zone in the Shoalhaven River Water Source;

(iv) Maldon Weir Management Zone in the Upper Nepean and Upstream Warragamba Water Source;

(v) Lower Hawkesbury River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;

(vi) Macdonald River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;

(vii) Upper South Creek Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;

(viii) Lower South Creek Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source; and

(ix) Cattai Creek Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source.

(3) A dealing permitted under subclause (2) (c) is subject to:

(a) the application of a conversion factor so that the share component of the unregulated river (high flow) access licence is 2.5 times the share component of the unregulated river access licence; and

(b) the total share component of all unregulated river access licences share

component being converted to unregulated river (high flow) access licences not exceeding:

- (i) 392 unit shares in the Upper Shoalhaven River Management Zone in the Shoalhaven River Water Source;
- (ii) 158 unit shares in the Broughton Mill Creek Management Zone in the Shoalhaven River Water Source;
- (iii) 158 unit shares in the Broughton Creek Management Zone in the Shoalhaven River Water Source;
- (iv) 134 unit shares in the Maldon Weir Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (v) 434 unit shares in the Lower Hawkesbury River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
- (vi) 392 unit shares in the Macdonald River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
- (vii) 414 unit shares in the Lower South Creek Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
- (viii) 88 unit shares in the Upper South Creek Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source; and
- (ix) 107 unit shares in the Cattai Creek Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source.

65 Assignment of rights dealings (within water sources)

- (1) This clause relates to dealings under section 71Q of the Act in these water sources.
- (2) Dealings under section 71Q of the Act are prohibited if the dealing involves an assignment of rights:
 - (a) from an access licence with an extraction component that specifies a management zone downstream of a major utility or local water utility water

supply work (dam or weir) to a management zone that is located upstream of the water supply work, except as provided in paragraph (qq);

- (b) from an access licence with an extraction component that specifies a management zone upstream of a major utility or local water utility water supply work (dam or weir) to a management zone that is located downstream of the water supply work, except as provided in paragraphs (rr), (ss) and (tt);
- (c) from an access licence that nominates a water supply work that is a runoff harvesting work to an access licence that nominates a water supply work that is not a runoff harvesting work;
- (d) from an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source to an access licence with an extraction component that specifies another management zone in the Shoalhaven River Water Source that is one of the following:
 - (i) Mid Shoalhaven River Management Zone;
 - (ii) Reedy Creek Management Zone;
 - (iii) Mongarlowe River Management Zone;
 - (iv) Corang and Endrick Rivers Management Zone;
 - (v) Nerrimunga Creek Management Zone;
 - (vi) Bungonia Creek Management Zone;
 - (vii) Fitzroy Falls Management Zone;
 - (viii) Yarrunga Creek Management Zone;
 - (ix) Lower Kangaroo River Management Zone;
 - (x) Bundanoon Creek Management Zone;
 - (xi) Bomaderry Creek Management Zone;
 - (xii) Broughton Creek Management Zone;

- (xiii) Broughton Mill Creek Management Zone; or
 - (xiv) Jaspers Brush Creek and Tributaries Management Zone;
 - (e) from an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source to an access licence with an extraction component that specifies the Upper Shoalhaven River Management Zone in the Shoalhaven River Water Source, if the dealing would cause the sum of the share components of all access licences in the Upper Shoalhaven River Management Zone, other than unregulated river (high flow) access licences, to exceed the sum of the share components of all access licences that existed in the Upper Shoalhaven River Management Zone at the commencement of this Plan minus the share components of any unregulated river access licences that have been converted to unregulated river (high flow) access licences with an extraction component that specifies the Upper Shoalhaven River Management Zone since the commencement of this Plan;
 - (f) from an access licence that does not nominate a water supply work located in the hydrological catchment of Sandhills Creek at and above the confluence of Mulloon Creek in the Reedy Creek Management Zone in the Shoalhaven River Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Sandhills Creek at and above the confluence of Mulloon Creek in the Reedy Creek Management Zone in the Shoalhaven River Water Source;
 - (g) from an access licence that does not nominate a water supply work located in the hydrological catchment of Mulloon Creek at and above the confluence of Sandhills Creek excluding Mulloon Creek in the Reedy Creek Management Zone in the Shoalhaven River Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Mulloon Creek at and above the confluence of Sandhills Creek excluding Mulloon Creek in the Reedy Creek Management Zone in the Shoalhaven River Water Source;
 - (h) from an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source to an access licence with an extraction component that specifies the Boro Creek Management Zone in the Shoalhaven River Water Source, if it would cause the sum of the share
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components of all access licences with extraction components that specify the Boro Creek Management Zone to exceed the sum of the share component of all access licences with extraction components that specify the Boro Creek Management Zone at the date of commencement of this Plan plus 73;

- (i) from an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source to an access licence with an extraction component that specifies the Shoalhaven River Gorge Management Zone in the Shoalhaven River Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify the Shoalhaven River Gorge Management Zone to exceed 2,198;
 - (j) from an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source to an access licence with an extraction component that specifies another management zone in the Shoalhaven River Water Source that is one of the following, if it would cause the sum of the share components of all access licences with extraction components that specify that management zone to exceed the sum of the share components of all access licences that existed in that management zone at the date of commencement of this Plan:
 - (i) Barbers Creek Management Zone;
 - (ii) Lower Shoalhaven River Management Zone; or
 - (iii) Lower Shoalhaven River Catchment Management Zone;
 - (k) from an access licence that does not nominate a water supply work located above the Burrier town water supply pumping station in the Lower Shoalhaven River Management Zone in the Shoalhaven River Water Source to an access licence that nominates a water supply work located above the Burrier town water supply pumping station in the Lower Shoalhaven River Management Zone in the Shoalhaven River Water Source;
 - (l) from an access licence that does not nominate a water supply work located in the hydrological catchment of Flat Rock Creek in the Lower Shoalhaven River Catchment Management Zone in the Shoalhaven River Water Source to an
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access licence that nominates a water supply work located in the hydrological catchment of Flat Rock Creek in the Lower Shoalhaven River Catchment Management Zone in the Shoalhaven River Water Source;

- (m) from an access licence that does not nominate a water supply work located in the hydrological catchment of Yalwal Creek in the Lower Shoalhaven River Catchment Management Zone in the Shoalhaven River Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Yalwal Creek in the Lower Shoalhaven River Catchment Management Zone in the Shoalhaven River Water Source;
 - (n) from an access licence with an extraction component that specifies a management zone in the Illawarra River Water Source to an access licence with an extraction component that specifies another management zone in the Illawarra River Water Source that is one of the following:
 - (i) Minnamurra River Management Zone;
 - (ii) Minnamurra Coastal Management Zone;
 - (iii) Macquarie Rivulet Management Zone; or
 - (iv) Wollongong Coastal Management Zone;
 - (o) from an access licence with an extraction component that specifies a management zone in the Illawarra River Water Source to an access licence with an extraction component that specifies the Lake Illawarra Management Zone in the Illawarra River Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify the Lake Illawarra Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Lake Illawarra Management Zone at the date of commencement of this Plan;
 - (p) from an access licence that does not nominate a water supply work located in the hydrological catchment of Koonal Bay East in the Lake Illawarra Management Zone in the Illawarra Rivers Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Koonal Bay East in the Lake Illawarra Management Zone in the Illawarra Rivers
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Water Source;

- (q) from an access licence that does not nominate a water supply work located in the hydrological catchment of Windang in the Lake Illawarra Management Zone in the Illawarra Rivers Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Windang in the Lake Illawarra Management Zone in the Illawarra Rivers Water Source;
- (r) from an access licence with an extraction component that specifies a management zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence with an extraction component that specifies another management zone in the Upper Nepean and Upstream Warragamba Water Source that is one of the following:
 - (i) Mulwaree River Management Zone;
 - (ii) Upper Wollondilly Management Zone;
 - (iii) Lower Wollondilly Management Zone;
 - (iv) Upper Wingecarribee River Management Zone;
 - (v) Lower Wingecarribee River Management Zone;
 - (vi) Medway Rivulet Management Zone;
 - (vii) Maldon Weir Management Zone;
 - (viii) Pheasants Nest Weir to Nepean Dam Management Zone;
 - (ix) Maguires Crossing Management Zone;
 - (x) Stonequarry Creek Management Zone;
 - (xi) Lower Cataract River Management Zone;
 - (xii) Mid Cataract River Management Zone;
 - (xiii) Avon River Management Zone;

- (xiv) Cordeaux River Management Zone;
 - (xv) Upper Nepean River Tributaries Headwaters Management Zone;
 - (xvi) Wywandy Management Zone;
 - (xvii) Dharabuladh Management Zone; or
 - (xviii) Kowmung River Management Zone;
- (s) from an access licence that does not nominate a water supply work located in the hydrological catchment of the Mares Forest Creek at and above the confluence of Guineacor Creek in the Lower Wollondilly Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Mares Forest Creek at and above the confluence of Guineacor Creek in the Lower Wollondilly Management Zone in the Lower Wollondilly Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (t) from an access licence that does not nominate a water supply work located in the hydrological catchment of the Wingecarribee River at and below 241565 Easting and 619498 Northing in the Lower Wingecarribee River Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located in the hydrological catchment of the Wingecarribee River at and below 241565 Easting and 619498 Northing in the Lower Wingecarribee River Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (u) from an access licence with an extraction component that specifies a management zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence with an extraction component that specifies another management zone in the Upper Nepean and Upstream Warragamba Water Source that is one of the following, if it would cause the sum of the share components of all access licences with extraction components that specify that management zone to exceed the sum of the share component of all access licences that specify that management zone at the date of commencement of this
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Plan:

- (i) Nattai River Management Zone;
 - (ii) Little River Management Zone;
 - (iii) Lake Burragorang Management Zone, except where the access licence to which rights are proposed to be assigned is held by the NSW Government or the Commonwealth for the purpose of providing water to the environment, and the assignment is for an environmental purpose;
 - (iv) Werriberri Creek Management Zone;
 - (v) Jenolan River Management Zone; or
 - (vi) Kedumba River Management Zone;
 - (v) from an access licence that nominates a water supply work located above Nepean Dam in the Maguires Crossing Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located below the Nepean Dam in the Maguires Crossing Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
 - (w) from an access licence that nominates a water supply work located below Nepean Dam in the Maguires Crossing Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located above Nepean Dam in the Maguires Crossing Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
 - (x) from an access licence that nominates a water supply work located above Avon Dam, Cataract Dam or Cordeaux Dam in the Upper Nepean Headwaters and Tributaries Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located below Avon Dam, Cataract Dam or Cordeaux Dam in the Upper Nepean Headwaters and Tributaries Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
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- (y) from an access licence that nominates a water supply work located below Avon Dam, Cataract Dam or Cordeaux Dam in the Upper Nepean Headwaters and Tributaries Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located above Avon Dam, Cataract Dam or Cordeaux Dam in the Upper Nepean Headwaters and Tributaries Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (z) from an access licence that does not nominate a water supply work located in the hydrological catchment of the Jenolan River at and above the confluence with Pheasants Nest Creek in the Jenolan River Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located in the hydrological catchment of the Jenolan River at and above the confluence with Pheasants Nest Creek in the Jenolan River Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (aa) from an access licence that does not nominate a water supply work located in the hydrological catchment of the Kowmung River including Tuglow Hole Creek at and above the confluence with Tuglow Hole Creek in the Kowmung River Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located in the hydrological catchment of the Kowmung River including Tuglow Hole Creek at and above the confluence with Tuglow Hole Creek in the Kowmung River Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (bb) from an access licence that does not nominate a water supply work located in or upstream of a wild river in the Kowmung River Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located in or upstream of a wild river in the Kowmung River Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (cc) to an access licence with an extraction component that specifies the Menangle Weir Management Zone, the Camden Weir Management Zone, the Sharpes

Weir Management Zone, the Cobbity Weir Management Zone, the Mount Hunter Rivulet Weir Management Zone, the Brownlow Hill Weir Management Zone, the Theresa Park Weir Management Zone or the Wallacia Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source:

- (i) Mid Nepean River Catchment Management Zone;
 - (ii) Lower Nepean River Management Zone;
 - (iii) Erskine Creek and Glenbrook Creek Management Zone;
 - (iv) Grose River Management Zone;
 - (v) Capertee River Management Zone;
 - (vi) Colo River Management Zone;
 - (vii) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (viii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (ix) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone;
 - (x) Lower Hawkesbury River Management Zone;
 - (xi) Macdonald River Management Zone;
 - (xii) Upper South Creek Management Zone;
 - (xiii) Lower South Creek Management Zone;
 - (xiv) Cattai Creek Management Zone;
 - (xv) Berowra Creek and Cowan Creek Management Zone; or
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(xvi) Warragamba River Management Zone;

(dd) to an access licence with an extraction component that specifies the Menangle Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify the Menangle Weir Management Zone to exceed the sum of the share component of all access licences with extraction components that specify the Menangle Weir Management Zone at the date of commencement of this Plan:

(i) Camden Weir Management Zone;

(ii) Sharpes Weir Management Zone;

(iii) Cobbity Weir Management Zone;

(iv) Mount Hunter Rivulet Weir Management Zone;

(v) Brownlow Hill Weir Management Zone;

(vi) Theresa Park Weir Management Zone; or

(vii) Wallacia Weir Management Zone;

(ee) to an access licence with an extraction component that specifies the Camden Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones, if it would cause the sum of the share components of all access licences with extraction components that specify the Camden Weir Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Camden Weir Management Zone at the date of commencement of this Plan:

(i) Sharpes Weir Management Zone;

(ii) Cobbity Weir Management Zone;

- (iii) Mount Hunter Rivulet Weir Management Zone;
 - (iv) Brownlow Hill Weir Management Zone;
 - (v) Theresa Park Weir Management Zone; or
 - (vi) Wallacia Weir Management Zone;
- (ff) to an access licence with an extraction component that specifies the Sharpes Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones, if it would cause the sum of the share components of all access licences with extraction components that specify the Sharpes Weir Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Sharpes Weir Management Zone at the date of commencement of this Plan:
- (i) Cobbity Weir Management Zone;
 - (ii) Mount Hunter Rivulet Weir Management Zone;
 - (iii) Brownlow Hill Weir Management Zone;
 - (iv) Theresa Park Weir Management Zone; or
 - (v) Wallacia Weir Management Zone;
- (gg) to an access licence with an extraction component that specifies the Cobbity Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones, if it would cause the sum of the share components of all access licences with extraction components that specify the Cobbity Weir Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Cobbity Weir Management Zone at the date of commencement of this Plan:
- (i) Mount Hunter Rivulet Weir Management Zone;
 - (ii) Brownlow Hill Weir Management Zone;
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- (iii) Theresa Park Weir Management Zone; or
 - (iv) Wallacia Weir Management Zone;
- (hh) to an access licence with an extraction component that specifies the Mount Hunter Rivulet Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones, if it would cause the sum of the share components of all access licences with extraction components that specify the Mount Hunter Rivulet Weir Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Mount Hunter Rivulet Weir Management Zone at the date of commencement of this Plan:
- (i) Brownlow Hill Weir Management Zone;
 - (ii) Theresa Park Weir Management Zone; or
 - (iii) Wallacia Weir Management Zone;
- (ii) to an access licence with an extraction component that specifies the Brownlow Hill Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones, if it would cause the sum of the share components of all access licences with extraction components that specify the Brownlow Hill Weir Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Brownlow Hill Weir Management Zone at the date of commencement of this Plan:
- (i) Theresa Park Weir Management Zone; or
 - (ii) Wallacia Weir Management Zone;
- (jj) to an access licence with an extraction component that specifies the Theresa Park Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies the Wallacia Weir Management Zone, if it would cause the sum of the
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share components of all access licences with extraction components that specify the Theresa Park Weir Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Theresa Park Weir Management Zone at the date of commencement of this Plan;

- (kk) from an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source to an access licence with an extraction component that specifies another management zone in the Hawkesbury and Lower Nepean Rivers Water Source that is one of the following:
 - (i) Mid Nepean River Catchment Management Zone;
 - (ii) Erskine Creek and Glenbrook Creek Management Zone;
 - (iii) Grose River Management Zone;
 - (iv) Lower Hawkesbury River Management Zone, except where the access licence to which rights are proposed to be assigned is held by the NSW Government or the Commonwealth for the purpose of providing water to the environment, and the assignment is for an environmental purpose;
 - (v) Upper South Creek Management Zone;
 - (vi) Lower South Creek Management Zone; or
 - (vii) Warragamba River Management Zone;
 - (ll) from an access licence that does not nominate a water supply work located in or upstream of a wild river in the Grose River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source to an access licence that nominates a water supply work located in or upstream of a wild river in the Grose River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
 - (mm) from an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source
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to an access licence with an extraction component that specifies another management zone in the Hawkesbury and Lower Nepean Rivers Water Source that is one of the following management zones, if it would cause the sum of the share components of all access licences with extraction components that specify that management zone to exceed the sum of the share components of all access licences that existed in that management zone at the date of commencement of this Plan:

- (i) Capertee River Management Zone;
 - (ii) Colo River Management Zone;
 - (iii) Macdonald River Management Zone;
 - (iv) Cattai Creek Management Zone; or
 - (v) Berowra Creek and Cowan Creek Management Zone;
- (nn) from an access licence that does not nominate a water supply work located in or upstream of a wild river in the Capertee River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source to an access licence that nominates a water supply work located in or upstream of a wild river in the Capertee River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
- (oo) from an access licence that does not nominate a water supply work located in the hydrological catchment of Crown Creek to an access licence that nominates a water supply work located in the hydrological catchment of Crown Creek in the Capertee River Management Zone;
- (pp) from an access licence that does not nominate a water supply work located in or upstream of a wild river in the Colo River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source to an access licence that nominates a water supply work located in or upstream of a wild river in the Colo River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
- (qq) to an access licence with an extraction component that specifies the Lower
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Nepean River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, unless:

- (i) the dealing involves an assignment of rights from an access licence with an extraction component that specifies one of the following management zones:
 - (A) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (B) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone; or
 - (C) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; and
 - (ii) the dealing would not cause the sum of the share components of all access licences with extraction components that specify the Lower Nepean River Management Zone to exceed by more than 3.65 GL the sum of the share components of all access licences that existed in the Lower Nepean River Management Zone at the date of commencement of this Plan;
- (rr) to an access licence with an extraction component that specifies the Upper Hawkesbury River (Grose River to South Creek) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, unless the dealing involves an assignment of rights from an access licence with an extraction component that specifies one of the following management zones:
- (i) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (ii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (iii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; or
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- (iv) Lower Nepean River Management Zone, provided that the dealing would not cause the sum of the share components of all access licences with extraction components that specify the Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone and Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone to exceed the sum of the share components of all access licences in those management zones at the date of commencement of this Plan;
 - (ss) to an access licence with an extraction component that specifies the Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, unless the dealing involves an assignment of rights from an access licence with an extraction component that specifies one of the following management zones:
 - (i) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (ii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (iii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; or
 - (iv) Lower Nepean River Management Zone, provided that the dealing would not cause the sum of the share components of all access licences with extraction components that specify the Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone and Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone to exceed the sum of the share components of all access licences in those management zones at the date of commencement of this Plan;
 - (tt) to an access licence with an extraction component that specifies the Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, unless the dealing involves an assignment of rights from an access licence with an extraction
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component that specifies one of the following management zones:

- (i) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (ii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (iii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; or
 - (iv) Lower Nepean River Management Zone, provided that the dealing would not cause the sum of the share components of all access licences with extraction components that specify the Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone and Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone to exceed the sum of the share components of all access licences in those management zones at the date of commencement of this Plan;
- (uu) from an access licence that does not nominate a water supply work located within a lagoon in the Hawkesbury and Lower Nepean Rivers Water Source to an access licence that nominates a water supply work located within a lagoon in the Hawkesbury and Lower Nepean Rivers Water Source;
- (vv) from an access licence with an extraction component that specifies a management zone in the Southern Sydney Rivers Water Source to an access licence with an extraction component that specifies another management zone in the Southern Sydney Rivers Water Source that is one of the following:
- (i) Upper Woronora River Management Zone;
 - (ii) Lower Woronora River Management Zone;
 - (iii) Cabramatta Creek Management Zone;
 - (iv) Cooks River and Botany Bay Management Zone; or
 - (v) Southern Sydney Coastal Management Zone;
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- (ww) from an access licence with an extraction component that specifies a management zone in the Southern Sydney Rivers Water Source to an access licence with an extraction component that specifies another management zone in the Southern Sydney Rivers Water Source that is one of the following management zones, if it would cause the sum of the share components of all access licences with extraction components that specify that management zone to exceed the sum of the share components of all access licences that existed in that management zone at the date of commencement of this Plan;
- (i) Hacking River Management Zone;
 - (ii) Prospect Creek Management Zone; or
 - (iii) Georges River Catchment Management Zone;
- (xx) from an access licence that does not nominate a water supply work located in the hydrological catchment of Harris Creek in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Harris Creek in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source;
- (yy) from an access licence that does not nominate a water supply work located in the hydrological catchment of Williams Creek in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Williams Creek in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source;
- (zz) from an access licence that does not nominate a water supply work located in the hydrological catchment of the Georges River above the Georges River at Liverpool Weir gauge (213400) in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Georges River above the Georges River at Liverpool
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Weir gauge (213400) in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source;

(aaa) from an access licence with an extraction component that specifies a management zone in the Northern Sydney Rivers Water Source to an access licence with an extraction component that specifies another management zone in the Northern Sydney Rivers Water Source that is one of the following management zones, if it would cause the sum of the share components of all access licences with extraction components that specify that management zone to exceed the sum of the share components of all access licences that existed in that management zone at the date of commencement of this Plan;

(i) Upper Parramatta River Management Zone;

(ii) Lower Parramatta River Management Zone; or

(iii) Northern Sydney Coastal Management Zone;

(bbb) from an access licence with an extraction component that specifies a management zone in the Northern Sydney Rivers Water Source to an access licence with an extraction component that specifies another management zone in the Northern Sydney Rivers Water Source that is one of the following:

(i) Lane Cove River Management Zone; or

(ii) Middle Harbour Management Zone.

66 Amendment of share component dealings (change of water source)

(1) This clause relates to dealings under section 71R of the Act in these water sources.

(2) Dealings under section 71R of the Act are prohibited in these water sources.

67 Amendment of extraction component dealings

(1) This clause relates to dealings under section 71S of the Act in these water sources.

(2) Dealings under section 71S of the Act are prohibited if the dealing involves:

(a) an unregulated river (high flow) access licence;

- (b) an access licence with an extraction component that specifies a management zone downstream of a major utility of local water utility water supply work (dam or weir) being varied to specify a management zone that is located upstream of the water supply work, except as provided in paragraph (w);
- (c) an access licence with an extraction component that specifies a management zone upstream of a major utility of local water utility water supply work (dam or weir) being varied to specify a management zone that is located downstream of the water supply work, except as provided in paragraphs (x), (y) and (z);
- (d) an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source being varied to specify another management zone in the Shoalhaven River Water Source that is one of the following:
 - (i) Mid Shoalhaven River Management Zone;
 - (ii) Reedy Creek Management Zone;
 - (iii) Mongarlowe River Management Zone;
 - (iv) Corang and Endrick Rivers Management Zone;
 - (v) Nerrimunga Creek Management Zone;
 - (vi) Bungonia Creek Management Zone;
 - (vii) Fitzroy Falls Management Zone;
 - (viii) Yarrunga Creek Management Zone;
 - (ix) Lower Kangaroo River Management Zone;
 - (x) Bundanoon Creek Management Zone;
 - (xi) Bomaderry Creek Management Zone;
 - (xii) Broughton Creek Management Zone;
 - (xiii) Broughton Mill Creek Management Zone; or

- (xiv) Jaspers Brush Creek and Tributaries Management Zone;
- (e) an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source being varied to specify the Upper Shoalhaven River Management Zone in the Shoalhaven River Water Source, if the dealing would cause the sum of the share components of all access licences with an extraction component that specified the Upper Shoalhaven River Management Zone, other than unregulated river (high flow) access licences to exceed the sum of the share components of all access licences with an extraction component that specifies the Upper Shoalhaven River Management Zone at the date of commencement of this Plan, minus the share components of any unregulated river access licences that have been converted to unregulated river (high flow) access licences with extraction components specifying the Upper Shoalhaven River Management Zone since the commencement of this Plan;
- (f) an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source being varied to specify the Boro Creek Management Zone in the Shoalhaven River Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify the Boro Creek Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Boro Creek Management Zone at the date of commencement of this Plan, plus 73;
- (g) an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source being varied to specify the Shoalhaven River Gorge Management Zone in the Shoalhaven River Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify the Shoalhaven River Gorge Management Zone to exceed 2,198;
- (h) an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source being varied to specify another management zone that is one of the following management zones in the Shoalhaven River Water Source, if it would cause the sum of the share
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components of all access licences with extraction components that specify that management zone to exceed the sum of the share components of all access licences with extraction components that specify in that management zone at the date of commencement of this Plan;

- (i) Barbers Creek Management Zone;
- (ii) Lower Shoalhaven River Management Zone; or
- (iii) Lower Shoalhaven River Catchment Management Zone;

- (i) an access licence with an extraction component that specifies a management zone in the Illawarra River Water Source being varied to specify another management zone in the Illawarra River Water Source that is one of the following:

- (i) Minnamurra River Management Zone;
- (ii) Minnamurra Coastal Management Zone;
- (iii) Macquarie Rivulet Management Zone; or
- (iv) Wollongong Coastal Management Zone;

- (j) an access licence with an extraction component that specifies a management zone in the Illawarra River Water Source being varied to specify the Lake Illawarra Management Zone in the Illawarra River Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify the Lake Illawarra Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Lake Illawarra Management Zone at the date of commencement of this Plan;

- (k) an access licence with an extraction component that specifies a management zone in the Upper Nepean and Upstream Warragamba Water Source being varied to specify another management zone in the Upper Nepean and Upstream Warragamba Water Source that is one of the following:

- (i) Mulwaree River Management Zone;
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- (ii) Upper Wollondilly Management Zone;
 - (iii) Lower Wollondilly Management Zone;
 - (iv) Upper Wingecarribee River Management Zone;
 - (v) Lower Wingecarribee River Management Zone;
 - (vi) Medway Rivulet Management Zone;
 - (vii) Maldon Weir Management Zone;
 - (viii) Pheasants Nest Weir to Nepean Dam Management Zone;
 - (ix) Maguires Crossing Management Zone;
 - (x) Stonequarry Creek Management Zone;
 - (xi) Lower Cataract River Management Zone;
 - (xii) Mid Cataract River Management Zone;
 - (xiii) Avon River Management Zone;
 - (xiv) Cordeaux River Management Zone;
 - (xv) Upper Nepean River Tributaries Headwaters Management Zone;
 - (xvi) Wywandy Management Zone;
 - (xvii) Dharabuladh Management Zone; or
 - (xviii) Kowmung River Management Zone;
- (l) an access licence with an extraction component that specifies a management zone in the Upper Nepean and Upstream Warragamba Water Source being varied to specify another management zone that is one of the following in the Upper Nepean and Upstream Warragamba Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify that management zone to exceed the sum of the share components of all access licences with extraction components that specify that management
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zone at the date of commencement of this Plan;

- (i) Nattai River Management Zone;
 - (ii) Little River Management Zone;
 - (iii) Lake Burragorang River Management Zone, except where the access licence for which the variation is proposed is held by the NSW Government or the Commonwealth for the purpose of providing water to the environment, and the variation is for an environmental purpose;
 - (iv) Werriberri Creek Management Zone;
 - (v) Jenolan River Management Zone; or
 - (vi) Kedumba River Management Zone;
- (m) an access licence that specifies the Menangle Weir Management Zone, the Camden Weir Management Zone, the Sharpes Weir Management Zone, the Cobbity Weir Management Zone, the Mount Hunter Rivulet Management Zone, the Brownlow Hill Weir Management Zone, the Theresa Park Weir Management Zone or the Wallacia Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source being varied to specify one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source:
- (i) Mid Nepean River Catchment Management Zone;
 - (ii) Lower Nepean River Management Zone;
 - (iii) Erskine Creek and Glenbrook Creek Management Zone;
 - (iv) Grose River Management Zone;
 - (v) Capertee River Management Zone;
 - (vi) Colo River Management Zone;
 - (vii) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
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- (viii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (ix) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone;
 - (x) Lower Hawkesbury River Management Zone;
 - (xi) Macdonald River Management Zone;
 - (xii) Upper South Creek Management Zone;
 - (xiii) Lower South Creek Management Zone;
 - (xiv) Cattai Creek Management Zone;
 - (xv) Berowra Creek and Cowan Creek Management Zone; or
 - (xvi) Warragamba River Management Zone;
- (n) an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being varied to specify the Menangle Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify the Menangle Weir Management Zone to exceed the sum of the share components of all access licences with extractions components that specify the Menangle Weir Management Zone at the date of commencement of this Plan:
- (i) Camden Weir Management Zone;
 - (ii) Sharpes Weir Management Zone;
 - (iii) Cobbity Weir Management Zone;
 - (iv) Mount Hunter Rivulet Weir Management Zone;
 - (v) Brownlow Hill Weir Management Zone;
 - (vi) Theresa Park Weir Management Zone; or
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- (vii) Wallacia Weir Management Zone;
 - (o) an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being varied to specify the Camden Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify the Camden Weir Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Camden Weir Management Zone at the date of commencement of this Plan:
 - (i) Sharpes Weir Management Zone;
 - (ii) Cobbity Weir Management Zone;
 - (iii) Mount Hunter Rivulet Weir Management Zone;
 - (iv) Brownlow Hill Weir Management Zone;
 - (v) Theresa Park Weir Management Zone; or
 - (vi) Wallacia Weir Management Zone;
 - (p) an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being varied to specify the Sharpes Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify the Sharpes Weir Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Sharpes Weir Management Zone at the date of commencement of this Plan:
 - (i) Cobbity Weir Management Zone;
 - (ii) Mount Hunter Rivulet Weir Management Zone;
 - (iii) Brownlow Hill Weir Management Zone;
 - (iv) Theresa Park Weir Management Zone; or
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- (v) Wallacia Weir Management Zone;
 - (q) an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being varied to specify the Cobbity Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify the Cobbity Weir Management Zone to exceed the sum of the share components of all access licences with extractions components that specify the Cobbity Weir Management Zone at the date of commencement of this Plan:
 - (i) Mount Hunter Rivulet Weir Management Zone;
 - (ii) Brownlow Hill Weir Management Zone;
 - (iii) Theresa Park Weir Management Zone; or
 - (iv) Wallacia Weir Management Zone;
 - (r) an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being varied to specify the Mount Hunter Rivulet Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify the Mount Hunter Rivulet Weir Management Zone to exceed the sum of the share components of all access licences with extractions components that specify the Mount Hunter Rivulet Weir Management Zone at the date of commencement of this Plan:
 - (i) Brownlow Hill Weir Management Zone;
 - (ii) Theresa Park Weir Management Zone; or
 - (iii) Wallacia Weir Management Zone;
 - (s) an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being varied to specify the Brownlow Hill Weir Management Zone in the Hawkesbury and
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Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify the Brownlow Hill Weir Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Mount Hunter Rivulet Weir Management Zone at the date of commencement of this Plan:

- (i) Theresa Park Weir Management Zone; or
 - (ii) Wallacia Weir Management Zone;
- (t) an access licence with an extraction component that specifies the Wallacia Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source being varied to specify the Theresa Park Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences with extraction components that specify the Theresa Park Weir Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Theresa Park Weir Management Zone at the date of commencement of this Plan;
- (u) an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean River Water Source being varied to specify another management zone in the Hawkesbury and Lower Nepean Rivers Water Source that is one of the following:
- (i) Mid Nepean River Management Zone;
 - (ii) Erskine Creek and Glenbrook Creek Management Zone;
 - (iii) Grose River Management Zone;
 - (iv) Lower Hawkesbury River Management Zone, except where the access licence for which the variation is proposed is held by the NSW Government or the Commonwealth for the purpose of providing water to the environment, and the variation is for an environmental purpose;
 - (v) Upper South Creek Management Zone;
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- (vi) Lower South Creek Management Zone; or
- (vii) Warragamba River Management Zone;
- (v) an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being varied to specify another management zone in the Hawkesbury and Lower Nepean Rivers Water Source that is one of the following management zones, if it would cause the sum of the share components of all access licences with extraction components that specify that management zone to exceed the sum of the share components of all access licences with extraction components that specify that management zone at the date of commencement of this Plan;
 - (i) Capertee River Management Zone;
 - (ii) Colo River Management Zone;
 - (iii) Macdonald River Management Zone;
 - (iv) Cattai Creek Management Zone; or
 - (v) Berowra Creek and Cowan Creek Management Zone;
- (w) access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being varied to specify the Lower Nepean River Management Zone, unless:
 - (i) the extraction component of the access licence is being varied from one of the following management zones:
 - (A) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (B) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone; or
 - (C) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; and

- (ii) the dealing would not cause the sum of the share components of all access licences with extraction components that specify the Lower Nepean River Management Zone to exceed by more than 3.65 GL the sum of the share components of all access licences that existed in the Lower Nepean River Management Zone at the date of commencement of this Plan;
- (x) an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being varied to specify the Upper Hawkesbury River (Grose River to South Creek) Management Zone, except where the extraction component of the access licence is being varied from one of the following management zones:
 - (i) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (ii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (iii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; or
 - (iv) Lower Nepean River Management Zone, provided that the dealing would not cause the sum of the share components of all access licences with extraction components that specify the Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone and Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone to exceed the sum of the share components of all access licences in those management zones at the date of commencement of this Plan;
- (y) an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being varied to specify the Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone, except where the extraction component of the access licence is being varied from one of the following management zones:

- (i) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (ii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (iii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; or
 - (iv) Lower Nepean River Management Zone, provided that the dealing would not cause the sum of the share components of all access licences with extraction components that specify the Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone and Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone to exceed the sum of the share components of all access licences in those management zones at the date of commencement of this Plan;
- (z) an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being varied to specify the Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone, except where the extraction component of the access licence is being varied from one of the following management zones:
- (i) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (ii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (iii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; or
 - (iv) Lower Nepean River Management Zone, provided that the dealing would not cause the sum of the share components of all access licences with extraction components that specify the Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone and Upper Hawkesbury River
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(Cattai Creek to Colo River) Management Zone to exceed the sum of the share components of all access licences in those management zones at the date of commencement of this Plan;

- (aa) an access licence with an extraction component that specifies a management zone in the Southern Sydney Rivers Water Source being varied to specify another management zone in the Southern Sydney Water Source that is one of the following:
 - (i) Upper Woronora River Management Zone;
 - (ii) Lower Woronora River Management Zone;
 - (iii) Cabramatta Creek Management Zone;
 - (iv) Cooks River and Botany Bay Management Zone; or
 - (v) Southern Sydney Coastal Management Zone;

 - (bb) an access licence with an extraction component that specifies a management zone in the Southern Sydney Rivers Water Source being varied to specify another management zone in the Southern Sydney Rivers Water Source that is one of the following management zones, if it would cause the sum of the share components of all access licences with extraction components that specify that management zone to exceed the sum of the share components of all access licences with an extraction component that specifies that management zone at the date of commencement of this Plan:
 - (i) Hacking River Management Zone;
 - (ii) Prospect Creek Management Zone; or
 - (iii) Georges River Catchment Management Zone;

 - (cc) an access licence with an extraction component that specifies a management zone in the Northern Sydney Rivers Water Source being varied to specify another management zone in the Northern Sydney Rivers Water Source that is one of the following management zones, if it would cause the sum of the share components of all access licences with extraction components that specify that
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management zone to exceed the sum of the share components of all access licences with an extraction component that specifies that management zone at the date of commencement of this Plan:

- (i) Upper Parramatta River Management Zone;
- (ii) Lower Parramatta River Management Zone; or
- (iii) Northern Sydney Coastal Management Zone.

(dd) an access licence with an extraction component that specifies a management zone in the Northern Sydney Rivers Water Source being varied to specify another management zone in the Northern Sydney Rivers Water Source that is one of the following:

- (i) Lane Cove River Management Zone; or
- (ii) Middle Harbour Management Zone.

68 Assignment of water allocations dealings

- (1) This clause relates to dealings under section 71T of the Act in these water sources.
 - (2) Dealings within a water source under section 71T of the Act are prohibited if the dealing involves an assignment of water allocation:
 - (a) from an unregulated river (high flow) access licence to an access licence of another category;
 - (b) to an unregulated river (high flow) access licence from an access licence of another category.
 - (c) from a major utility access licence to another category of access licence;
 - (d) from an access licence with an extraction component that specifies a management zone downstream of a major utility of local water utility water supply work (dam or weir) to a management zone that is located upstream of the water supply work, except as provided in paragraph (tt);
 - (e) from an access licence with an extraction component that specifies a
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management zone downstream of a major utility of local water utility water supply work (dam or weir) to a management zone that is located upstream of the water supply work, except as provided in paragraphs (uu), (vv) and (ww);

- (f) from an access licence that nominates a water supply work that is a runoff harvesting work to an access licence that nominates a water supply work that is not a runoff harvesting work;
 - (g) from an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source to an access licence with an extraction component that specifies another management zone in the Shoalhaven River Water Source that is one of the following:
 - (i) Mid Shoalhaven River Management Zone;
 - (ii) Reedy Creek Management Zone;
 - (iii) Mongarlowe River Management Zone;
 - (iv) Corang and Endrick Rivers Management Zone;
 - (v) Nerrimunga Creek Management Zone;
 - (vi) Bungonia Creek Management Zone;
 - (vii) Fitzroy Falls Management Zone;
 - (viii) Yarrunga Creek Management Zone;
 - (ix) Lower Kangaroo River Management Zone;
 - (x) Bundanoon Creek Management Zone;
 - (xi) Bomaderry Creek Management Zone;
 - (xii) Broughton Creek Management Zone;
 - (xiii) Broughton Mill Creek Management Zone; or
 - (xiv) Jaspers Brush Creek and Tributaries Management Zone;
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- (h) from an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source to an access licence with an extraction component that specifies the Upper Shoalhaven River Management Zone in the Shoalhaven River Water Source, if the dealing would cause total allocations in water allocation accounts of all access licences in the Upper Shoalhaven River Management Zone, other than unregulated river (high flow) access licences, to exceed the sum of the share components of all access licences that existed in the Upper Shoalhaven River Management Zone at the commencement of this Plan minus the share components of any unregulated river access licences that have been converted to unregulated river (high flow) access licences specifying the Upper Shoalhaven River Management Zone since the date of commencement of this Plan;
 - (i) from an access licence that does not nominate a water supply work located in the hydrological catchment of Sandhills Creek at and above the confluence of Mulloon Creek in the Reedy Creek Management Zone in the Shoalhaven River Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Sandhills Creek at and above the confluence of Mulloon Creek in the Reedy Creek Management Zone in the Shoalhaven River Water Source;
 - (j) from an access licence that does not nominate a water supply work located in the hydrological catchment Mulloon Creek at and above the confluence of Sandhills Creek excluding Mulloon Creek in the Reedy Creek Management Zone in the Shoalhaven River Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Mulloon Creek at and above the confluence of Sandhills Creek excluding Mulloon Creek in the Reedy Creek Management Zone in the Shoalhaven River Water Source;
 - (k) from an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source to an access licence with an extraction component that specifies the Boro Creek Management Zone in the Shoalhaven River Water Source, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify the Boro Creek Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the
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Boro Creek Management Zone at the date of commencement of this Plan plus 73;

- (l) from an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source to an access licence with an extraction component that specifies the Shoalhaven River Gorge Management Zone in the Shoalhaven River Water Source, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify the Shoalhaven River Gorge Management Zone to exceed 2,198;
 - (m) from an access licence with an extraction component that specifies a management zone in the Shoalhaven River Water Source to an access licence with an extraction component that specifies another management zone in the Shoalhaven River Water Source that is one of the following, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify that management zone to exceed the sum of the share components of all access licences with extraction components that specify that management zone at the date of commencement of this Plan:
 - (i) Barbers Creek Management Zone;
 - (ii) Lower Shoalhaven River Management Zone; or
 - (iii) Lower Shoalhaven River Catchment Management Zone;
 - (n) from an access licence that does not nominate a water supply work located above the Burrier town water supply pumping station in the Lower Shoalhaven River Management Zone in the Shoalhaven River Water Source to an access licence that nominates a water supply work located above the Burrier town water supply pumping station in the Lower Shoalhaven River Management Zone in the Shoalhaven River Water Source;
 - (o) from an access licence that does not nominate a water supply work located in the hydrological catchment of Flat Rock Creek in the Lower Shoalhaven River Catchment Management Zone in the Shoalhaven River Water Source to an access licence that nominates a water supply work located in the hydrological
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catchment of Flat Rock Creek in the Lower Shoalhaven River Catchment Management Zone in the Shoalhaven River Water Source;

- (p) from an access licence that does not nominate a water supply work located in the hydrological catchment of Yalwal Creek in the Lower Shoalhaven River Catchment Management Zone in the Shoalhaven River Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Yalwal Creek in the Lower Shoalhaven River Catchment Management Zone in the Shoalhaven River Water Source;
 - (q) from an access licence with an extraction component that specifies a management zone in the Illawarra River Water Source to an access licence with an extraction component that specifies another management zone in the Illawarra River Water Source that is one of the following:
 - (i) Minnamurra River Management Zone;
 - (ii) Minnamurra Coastal Management Zone;
 - (iii) Macquarie Rivulet Management Zone; or
 - (iv) Wollongong Coastal Management Zone;
 - (r) from an access licence with an extraction component that specifies a management zone in the Illawarra River Water Source to an access licence with an extraction component that specifies the Lake Illawarra Management Zone in the Illawarra River Water Source, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify the Lake Illawarra Management Zone to exceed the sum of the share components of all access licences with extraction components that specify the Lake Illawarra Management Zone at the date of commencement of this Plan;
 - (s) from an access licence that does not nominate a water supply work located in the hydrological catchment of Koono Bay East in the Lake Illawarra Management Zone in the Illawarra Rivers Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Koono Bay East in the Lake Illawarra Management Zone in the Illawarra Rivers Water Source;
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- (t) from an access licence that does not nominate a water supply work located in the hydrological catchment of Windang in the Lake Illawarra Management Zone in the Illawarra Rivers Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Windang in the Lake Illawarra Management Zone in the Illawarra Rivers Water Source;
- (u) from an access licence with an extraction component that specifies a management zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence with an extraction component that specifies another management zone in the Upper Nepean and Upstream Warragamba Water Source that is one of the following:
 - (i) Mulwaree River Management Zone;
 - (ii) Upper Wollondilly Management Zone;
 - (iii) Lower Wollondilly Management Zone;
 - (iv) Upper Wingecarribee River Management Zone;
 - (v) Lower Wingecarribee River Management Zone;
 - (vi) Medway Rivulet Management Zone;
 - (vii) Maldon Weir Management Zone;
 - (viii) Pheasants Nest Weir to Nepean Dam Management Zone;
 - (ix) Maguires Crossing Management Zone;
 - (x) Stonequarry Creek Management Zone;
 - (xi) Lower Cataract River Management Zone;
 - (xii) Mid Cataract River Management Zone;
 - (xiii) Avon River Management Zone;
 - (xiv) Cordeaux River Management Zone;

- (xv) Upper Nepean River Tributaries Headwaters Management Zone;
 - (xvi) Wywandy Management Zone;
 - (xvii) Dharabuladh Management Zone; or
 - (xviii) Kowmung River Management Zone;
- (v) from an access licence that does not nominate a water supply work located in the hydrological catchment of the Mares Forest Creek at and above the confluence of Guineacor Creek in the Lower Wollondilly Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located in the hydrological catchments of Mares Forest Creek at and above the confluence of Guineacor Creek in the Lower Wollondilly Management Zone in the Lower Wollondilly Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (w) from an access licence that does not nominate a water supply work located in the hydrological catchment of the Wingecarribee River at and below 241565 Easting and 619498 Northing in the Lower Wingecarribee River Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located in the hydrological catchment of the Wingecarribee River at and below 241565 Easting and 619498 Northing in the Lower Wingecarribee River Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (x) from an access licence with an extraction component that specifies a management zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence with an extraction component that specifies another management zone in the Upper Nepean and Upstream Warragamba Water Source that is one of the following, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify that management zone to exceed the sum of the share components of all access licences with an extraction component that specifies that management zone at the date of commencement of this Plan;

- (i) Nattai River Management Zone;
 - (ii) Little River Management Zone;
 - (iii) Lake Burragorang Management Zone, except where the access licence to which allocation proposed to be assigned is held by the NSW Government or the Commonwealth for the purpose of providing water to the environment, and the assignment is for an environmental purpose;
 - (iv) Werriberri Creek Management Zone;
 - (v) Jenolan River Management Zone; or
 - (vi) Kedumba River Management Zone;
- (y) from an access licence that nominates a water supply work located above Nepean Dam in the Maguires Crossing Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located below Nepean Dam in the Maguires Crossing Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (z) from an access licence that nominates a water supply work located below Nepean Dam in the Maguires Crossing Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located above Nepean Dam in the Maguires Crossing Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (aa) from an access licence that nominates a water supply work located above Avon Dam, Cataract Dam, or Cordeaux Dam in the Upper Nepean Headwaters and Tributaries Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located below Avon Dam, Cataract Dam, or Cordeaux Dam in the Upper Nepean Headwaters and Tributaries Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (bb) from an access licence that nominates a water supply work located below Avon
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Dam, Cataract Dam, or Cordeaux Dam in the Upper Nepean Headwaters and Tributaries Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located above Avon Dam, Cataract Dam, or Cordeaux Dam in the Upper Nepean Headwaters and Tributaries Management Zone in the Upper Nepean and Upstream Warragamba Water Source;

- (cc) from an access licence that does not nominate a water supply work located in the hydrological catchment of the Jenolan River at and above the confluence with Pheasants Nest Creek in the Jenolan River Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located in the hydrological catchment of the Jenolan River at and above the confluence with Pheasants Nest Creek in the Jenolan River Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
 - (dd) from an access licence that does not nominate a water supply work located in the hydrological catchment of the Kowmung River including Tuglow Hole Creek at and above the confluence with Tuglow Hole Creek in the Kowmung River Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located in the hydrological catchment of the Kowmung River including Tuglow Hole Creek at and above the confluence with Tuglow Hole Creek in the Kowmung River Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
 - (ee) from an access licence that does not nominate a water supply work located in or upstream of a wild river in the Kowmung River Management Zone in the Upper Nepean and Upstream Warragamba Water Source to an access licence that nominates a water supply work located in or upstream of a wild river in the Kowmung River Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
 - (ff) to an access licence with an extraction component that specifies the Menangle Weir Management Zone, the Camden Weir Management Zone, the Sharpes Weir Management Zone, the Cobbity Weir Management Zone, the Mount
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Hunter Rivulet Weir Management Zone, the Brownlow Hill Weir Management Zone, the Theresa Park Weir Management Zone or the Wallacia Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source:

- (i) Mid Nepean River Catchment Management Zone;
 - (ii) Lower Nepean River Management Zone;
 - (iii) Erskine Creek and Glenbrook Creek Management Zone;
 - (iv) Grose River Management Zone;
 - (v) Capertee River Management Zone;
 - (vi) Colo River Management Zone;
 - (vii) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (viii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (ix) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone;
 - (x) Lower Hawkesbury River Management Zone;
 - (xi) Macdonald River Management Zone;
 - (xii) Upper South Creek Management Zone;
 - (xiii) Lower South Creek Management Zone;
 - (xiv) Cattai Creek Management Zone;
 - (xv) Berowra Creek and Cowan Creek Management Zone; and
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(xvi) Warragamba River Management Zone;

(gg) to an access licence with an extraction component that specifies the Menangle Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify the Menangle Weir Management Zone to exceed the sum of the share components of all access licences with an extraction component that specifies the Menangle Weir Management Zone at the date of commencement of this Plan:

(i) Camden Weir Management Zone;

(ii) Sharpes Weir Management Zone;

(iii) Cobbity Weir Management Zone;

(iv) Mount Hunter Rivulet Weir Management Zone;

(v) Brownlow Hill Weir Management Zone;

(vi) Theresa Park Weir Management Zone; or

(vii) Wallacia Weir Management Zone;

(hh) to an access licence with an extraction component that specifies the Camden Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify the Camden Weir Management Zone to exceed the sum of the share components of all access licences with an extraction component that specifies the Camden Weir Management Zone at the date of commencement of this Plan:

(i) Sharpes Weir Management Zone;

(ii) Cobbity Weir Management Zone;

- (iii) Mount Hunter Rivulet Weir Management Zone;
 - (iv) Brownlow Hill Weir Management Zone;
 - (v) Theresa Park Weir Management Zone; or
 - (vi) Wallacia Weir Management Zone;
- (ii) to an access licence with an extraction component that specifies the Sharpes Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify the Sharpes Weir Management Zone to exceed the sum of the share components of all access licences with an extraction component that specifies the Sharpes Weir Management Zone at the date of commencement of this Plan:
- (i) Cobbity Weir Management Zone;
 - (ii) Mount Hunter Rivulet Weir Management Zone;
 - (iii) Brownlow Hill Weir Management Zone;
 - (iv) Theresa Park Weir Management Zone; or
 - (v) Wallacia Weir Management Zone;
- (jj) to an access licence with an extraction component that specifies the Cobbity Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify the Cobbity Weir Management Zone to exceed the sum of the share components of all access licences with an extraction component that specifies the Cobbity Weir Management Zone at the date of commencement of this Plan:
- (i) Mount Hunter Rivulet Weir Management Zone;
 - (ii) Brownlow Hill Weir Management Zone;
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- (iii) Theresa Park Weir Management Zone; or
 - (iv) Wallacia Weir Management Zone;
- (kk) to an access licence with an extraction component that specifies the Mount Hunter Rivulet Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify the Mount Hunter Rivulet Weir Management Zone to exceed the sum of the share components of all access licences with an extraction component that specifies the Mount Hunter Rivulet Weir Management Zone at the date of commencement of this Plan:
- (i) Brownlow Hill Weir Management Zone;
 - (ii) Theresa Park Weir Management Zone; or
 - (iii) Wallacia Weir Management Zone;
- (ll) to an access licence with an extraction component that specifies the Brownlow Hill Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies one of the following management zones, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify the Brownlow Hill Weir Management Zone to exceed the sum of the share components of all access licences with an extraction component that specifies the Brownlow Hill Weir Management Zone at the date of commencement of this Plan:
- (i) Theresa Park Weir Management Zone; or
 - (ii) Wallacia Weir Management Zone;
- (mm) to an access licence with an extraction component that specifies the Theresa Park Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source from an access licence with an extraction component that specifies the Wallacia Weir Management Zone, if it would cause total
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allocations in water allocation accounts of all access licences with extraction components that specify the Theresa Park Weir Management Zone to exceed the sum of the share components of all access licences with an extraction component that specifies the Theresa Park Weir Management Zone at the date of commencement of this Plan;

- (nn) from an access licence with an extraction component that specifies a management zone in the Hawkesbury and Lower Nepean Rivers Water Source to an access licence with an extraction component that specifies another management zone in the Hawkesbury and Lower Nepean Rivers Water Source that is one of the following:
 - (i) Mid Nepean River Catchment Management Zone;
 - (ii) Lower Nepean River Management Zone;
 - (iii) Erskine Creek and Glenbrook Creek Management Zone;
 - (iv) Grose River Management Zone;
 - (v) Lower Hawkesbury River Management Zone, except where the access licence to which allocation proposed to be assigned is held by the NSW Government or the Commonwealth for the purpose of providing water to the environment, and the assignment is for an environmental purpose;
 - (vi) Upper South Creek Management Zone;
 - (vii) Lower South Creek Management Zone;
 - (viii) Warragamba River Management Zone; or
 - (oo) from an access licence that does not nominate a water supply work located in or upstream of a wild river in the Grose River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source to an access licence that nominates a water supply work located in or upstream of a wild river in the Grose River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
 - (pp) from an access licence with an extraction component that specifies a
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management zone in the Hawkesbury and Lower Nepean Rivers Water Source to an access licence with an extraction component that specifies another management zone in the Hawkesbury and Lower Nepean Rivers Water Source that is one of the following management zones, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify that management zone to exceed the sum of the share components of all access licences with an extraction component that specifies that management zone at the date of commencement of this Plan;

- (i) Capertee River Management Zone;
 - (ii) Colo River Management Zone;
 - (iii) Macdonald River Management Zone;
 - (iv) Cattai Creek Management Zone; or
 - (v) Berowra Creek and Cowan Creek Management Zone;
- (qq) from an access licence that does not nominate a water supply work located in or upstream of a wild river in the Capertee River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source to an access licence that nominates a water supply work located in or upstream of a wild river in the Capertee River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
- (rr) from an access licence that does not nominate a water supply work located in the hydrological catchment of Crown Creek to an access licence that nominates a water supply work located in the hydrological catchment of Crown Creek in the Capertee River Management Zone;
- (ss) from an access licence that does not nominate a water supply work located in or upstream of a wild river in the Colo River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source to an access licence that nominates a water supply work located in or upstream of a wild river in the Colo River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
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- (tt) to an access licence with an extraction component that specifies the Lower Nepean River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, unless:
 - (i) the dealing involves an assignment of water allocation from an access licence with an extraction component that specifies one of the following management zones:
 - (A) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (B) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone; or
 - (C) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; and
 - (ii) the dealing would not cause total allocations in water allocation accounts of all access licences with extraction components that specify the Lower Nepean River Management Zone to exceed by more than 3.65 GL the sum of the share components of all access licences that existed in the Lower Nepean River Management Zone at the date of commencement of this Plan;
 - (uu) to an access licence with an extraction component that specifies the Upper Hawkesbury River (Grose River to South Creek) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, unless the dealing involves an assignment of water allocation from an access licence with an extraction component that specifies one of the following management zones:
 - (i) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (ii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (iii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; or
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- (iv) Lower Nepean River Management Zone, provided that the dealing would not cause total allocations in water allocation accounts of all access licences with extraction components that specify the Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone and Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone to exceed the sum of the share components of all access licences in those management zones at the date of commencement of this Plan;
 - (vv) to an access licence with an extraction component that specifies the Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, unless the dealing involves an assignment of water allocation from an access licence with an extraction component that specifies one of the following management zones:
 - (i) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (ii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (iii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; or
 - (iv) Lower Nepean River Management Zone, provided that the dealing would not cause total allocations in water allocation accounts of all access licences with extraction components that specify the Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone and Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone to exceed the sum of the share components of all access licences in those management zones at the date of commencement of this Plan;
 - (ww) to an access licence with an extraction component that specifies the Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, unless the dealing involves an assignment of water allocation from an access licence with an
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extraction component that specifies one of the following management zones:

- (i) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (ii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (iii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; or
 - (iv) Lower Nepean River Management Zone, provided that the dealing would not cause total allocations in water allocation accounts of all access licences with extraction components that specify the Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone and Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone to exceed the sum of the share components of all access licences in those management zones at the date of commencement of this Plan;
- (xx) from an access licence that does not nominate a water supply work located within a lagoon in the Hawkesbury and Lower Nepean Rivers Water Source to an access licence that nominates a water supply work located within a lagoon in the Hawkesbury and Lower Nepean Rivers Water Source;
- (yy) from an access licence with an extraction component that specifies a management zone in the Southern Sydney Rivers Water Source to an access licence with an extraction component that specifies another management zone in the Southern Sydney Rivers Water Source that is one of the following:
- (i) Upper Woronora River Management Zone
 - (ii) Lower Woronora River Management Zone;
 - (iii) Cabramatta Creek Management Zone;
 - (iv) Cooks River and Botany Bay Management Zone; or
 - (v) Southern Sydney Coastal Management Zone;
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- (zz) from an access licence with an extraction component that specifies a management zone in the Southern Sydney Rivers Water Source to an access licence with an extraction component that specifies another management zone in the Southern Sydney Rivers Water Source that is one of the following management zones, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify that management zone to exceed the sum of the share components of all access licences with an extraction component that specifies that management zone at the date of commencement of this Plan;
 - (i) Hacking River Management Zone;
 - (ii) Prospect Creek Management Zone; or
 - (iii) Georges River Catchment Management Zone;
 - (aaa) from an access licence that does not nominate a water supply work located in the hydrological catchment of Harris Creek in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Harris Creek in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source;
 - (bbb) from an access licence that does not nominate a water supply work located in the hydrological catchment of Williams Creek in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source to an access licence that nominates a water supply work located in the hydrological catchment of Williams Creek in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source;
 - (ccc) from an access licence that does not nominate a water supply work located in the hydrological catchment of the Georges River above Georges River at Liverpool Weir gauge (213400) in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source to an access licence that nominates a water supply work located in the
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hydrological catchment of Georges River above Georges River at Liverpool Weir gauge (213400) in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source;

(ddd) from an access licence with an extraction component that specifies a management zone in the Northern Sydney Rivers Water Source to an access licence with an extraction component that specifies another management zone in the Northern Sydney Rivers Water Source that is one of the following management zones, if it would cause total allocations in water allocation accounts of all access licences with extraction components that specify that management zone to exceed the sum of the share components of all access licences with an extraction component that specifies that management zone at the date of commencement of this Plan;

- (i) Upper Parramatta River Management Zone;
- (ii) Lower Parramatta River Management Zone; or
- (iii) Northern Sydney Coastal Management Zone.

(eee) from an access licence with an extraction component that specifies a management zone in the Northern Sydney Rivers Water Source to an access licence with an extraction component that specifies another management zone in the Northern Sydney Rivers Water Source that is one of the following:

- (i) Lane Cove River Management Zone; or
- (ii) Middle Harbour Management Zone.

(3) Dealings between water sources under section 71T of the Act are prohibited.

69 Interstate access licence transfer and assignment of water allocation

- (1) This clause relates to dealings under section 71U or 71V of the Act in these water sources.
- (2) Dealings involving the interstate transfer of an access licence to or from these water sources are prohibited.

- (3) Dealings involving the interstate assignment of water allocations to or from access licences in these water sources are prohibited.

70 Nomination of water supply works dealings

- (1) This clause relates to dealings under section 71W of the Act in these water sources.
- (2) Dealings under section 71W of the Act are prohibited if the dealing involves:
- (a) an access licence which nominates a water supply work located in a management zone downstream of a major utility of local water utility water supply work (dam or weir) being amended to nominate a water supply work located in a management zone located upstream of the water supply work, except as provided in paragraph (qq);
 - (b) an access licence which nominates a water supply work located in a management zone upstream of a major utility of local water utility water supply work (dam or weir) being amended to nominate a water supply work located in a management zone downstream of the water supply work, except as provided in paragraphs (rr), (ss) and (tt);
 - (c) an access licence which nominates a water supply work that is a runoff harvesting work being amended to nominate a water supply work that is not a runoff harvesting work;
 - (d) an access licence which nominates a water supply work located in a management zone in the Shoalhaven River Water Source being amended to nominate a water supply work located in another management zone in the Shoalhaven River Water Source that is one of the following:
 - (i) Mid Shoalhaven River Management Zone;
 - (ii) Reedy Creek Management Zone;
 - (iii) Mongarlowe River Management Zone;
 - (iv) Corang and Endrick Rivers Management Zone;
 - (v) Nerrimunga Creek Management Zone;
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- (vi) Bungonia Creek Management Zone;
 - (vii) Fitzroy Falls Management Zone;
 - (viii) Yarrunga Creek Management Zone;
 - (ix) Lower Kangaroo River Management Zone;
 - (x) Bundanoon Creek Management Zone;
 - (xi) Bomaderry Creek Management Zone;
 - (xii) Broughton Creek Management Zone;
 - (xiii) Broughton Mill Creek Management Zone; or
 - (xiv) Jaspers Brush Creek and Tributaries Management Zone;
- (e) an access licence which nominates a water supply work located in a management zone in the Shoalhaven River Water Source being amended to nominate a water supply work located in the Upper Shoalhaven River Management Zone in the Shoalhaven River Water Source, if it would cause the sum of the share components in the Upper Shoalhaven River Management Zone to exceed the sum of the share components of all access licences at the commencement of this Plan, minus the share components of any unregulated river access licences that have been converted to unregulated river (high flow) access licences with extraction components specifying the Upper Shoalhaven River Management Zone since the date of commencement of this Plan;
- (f) an access licence that does not nominate a water supply work located in the hydrological catchment of Sandhills Creek at and above the confluence of Mulloon Creek in the Reedy Creek Management Zone in the Shoalhaven River Water Source being amended to nominate a water supply work located in the hydrological catchment of Sandhills Creek at and above the confluence of Mulloon Creek in the Reedy Creek Management Zone in the Shoalhaven River Water Source;
- (g) an access licence that does not nominate a water supply work located in the hydrological catchment of Mulloon Creek at and above the confluence of
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Sandhills Creek excluding Mulloon Creek in the Reedy Creek Management Zone in the Shoalhaven River Water Source being amended to nominate a water supply work located in the hydrological catchment of Mulloon Creek at and above the confluence of Sandhills Creek excluding Mulloon Creek in the Reedy Creek Management Zone in the Shoalhaven River Water Source;

- (h) an access licence which nominates a water supply work located in a management zone in the Shoalhaven River Water Source being amended to nominate a water supply work located in the Boro Creek Management Zone in the Shoalhaven River Water Source, if it would cause the sum of the share components of all access licences in the Boro Creek Management Zone to exceed the sum of the share component of all access licences in the Boro Creek Management Zone at the date of commencement of this Plan, plus 73;
 - (i) an access licence which nominates a water supply work located in a management zone in the Shoalhaven River Water Source being amended to nominate a water supply work located in the Shoalhaven River Gorge Management Zone in the Shoalhaven River Water Source, if it would cause the sum of the share components of all access licences in the Shoalhaven River Gorge Management Zone to exceed 2,198;
 - (j) an access licence which nominates a water supply work located in a management zone in the Shoalhaven River Water Source being amended to nominate a water supply work located in another management zone in the Shoalhaven River Water Source that is one of the following, if it would cause the sum of the share components of all access licences in that management zone to exceed the sum of the share components of all access licences in that management zone at the date of commencement of this Plan:
 - (i) Barbers Creek Management Zone;
 - (ii) Lower Shoalhaven River Management Zone; or
 - (iii) Lower Shoalhaven River Catchment Management Zone;
 - (k) an access licence that does not nominate a water supply work located above the Burrier town water supply pumping station in the Lower Shoalhaven River
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Management Zone in the Shoalhaven River Water Source being amended to nominate a water supply work located above the Burrier town water supply pumping station in the Lower Shoalhaven River Management Zone in the Shoalhaven River Water Source;

- (l) an access licence that does not nominate a water supply work located in the hydrological catchment of Flat Rock Creek in the Lower Shoalhaven River Catchment Management Zone in the Shoalhaven River Water Source being amended to nominate a water supply work located in the hydrological catchment of Flat Rock Creek in the Lower Shoalhaven River Catchment Management Zone in the Shoalhaven River Water Source;
 - (m) an access licence that does not nominate a water supply work located in the hydrological catchment of Yalwal Creek in the Lower Shoalhaven River Catchment Management Zone being amended to nominate a water supply work located in the hydrological catchment of Yalwal Creek in the Lower Shoalhaven River Catchment Management Zone in the Shoalhaven River Water Source;
 - (n) an access licence which nominates a water supply work located in a management zone in the Illawarra Rivers Water Source being amended to nominate a water supply work located in another management zone in the Illawarra Rivers Water Source that is one of the following:
 - (i) Minnamurra River Management Zone;
 - (ii) Minnamurra Coastal Management Zone;
 - (iii) Macquarie Rivulet Management Zone; or
 - (iv) Wollongong Coastal Management Zone;
 - (o) an access licence which nominates a water supply work located in a management zone in the Illawarra Rivers Water Source being amended to nominate a water supply work located in the Lake Illawarra Management Zone in the Illawarra Rivers Water Source, if it would cause the sum of the share components of all access licences in the Lake Illawarra Management Zone to exceed the sum of the share components of all access licences in the Lake Illawarra Management Zone at the date of commencement of this Plan;
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- (p) an access licence that does not nominate a water supply work located in the hydrological catchment of Koono Bay East in the Lake Illawarra Management Zone in the Illawarra Rivers Water Source being amended to nominate a water supply work located in the hydrological catchment of Koono Bay East in the Lake Illawarra Management Zone in the Illawarra Rivers Water Source;
- (q) an access licence that does not nominate a water supply work located in the hydrological catchment of Windang in the Lake Illawarra Management Zone in the Illawarra Rivers Water Source being amended to nominate a water supply work located in the hydrological catchment of Windang in the Lake Illawarra Management Zone in the Illawarra Rivers Water Source;
- (r) an access licence which nominates a water supply work located in a management zone in the Upper Nepean and Upstream Warragamba Water Source being amended to nominate a water supply work located in another management zone in the Upper Nepean and Upstream Warragamba Water Source that is one of the following:
 - (i) Mulwaree River Management Zone;
 - (ii) Upper Wollondilly Management Zone;
 - (iii) Lower Wollondilly Management Zone;
 - (iv) Upper Wingecarribee River Management Zone;
 - (v) Lower Wingecarribee River Management Zone;
 - (vi) Medway Rivulet Management Zone;
 - (vii) Maldon Weir Management Zone;
 - (viii) Pheasants Nest Weir to Nepean Dam Management Zone;
 - (ix) Maguires Crossing Management Zone;
 - (x) Stonequarry Creek Management Zone;
 - (xi) Lower Cataract River Management Zone;

- (xii) Mid Cataract River Management Zone;
 - (xiii) Avon River Management Zone;
 - (xiv) Cordeaux River Management Zone;
 - (xv) Upper Nepean River Tributaries Headwaters Management Zone;
 - (xvi) Wywandy Management Zone;
 - (xvii) Dharabuladh Management Zone; or
 - (xviii) Kowmung River Management Zone;
- (s) an access licence that does not nominate a water supply work located in the hydrological catchment of the Mares Forest Creek at and above the confluence of Guineacor Creek in the Lower Wollondilly Management Zone in the Upper Nepean and Upstream Warragamba Water Source being amended to nominate a water supply work located in the hydrological catchments of Mares Forest Creek at and above the confluence of Guineacor Creek in the Lower Wollondilly Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (t) an access licence that does not nominate a water supply work located in the hydrological catchment of the Wingecarribee River at and below 241565 Easting and 619498 Northing in the Lower Wingecarribee River Management Zone in the Upper Nepean and Upstream Warragamba Water Source being amended to nominate a water supply work located in the hydrological catchment of the Wingecarribee River at and below 241565 Easting and 619498 Northing in the Lower Wingecarribee River Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (u) an access licence which nominates a water supply work located in a management zone in the Upper Nepean and Upstream Warragamba Water Source being amended to nominate a water supply work located in another management zones in the Upper Nepean and Upstream Warragamba Water Source that is one of the following, if it would cause the sum of the share components of all access licences with extraction components that specify that
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management zone to exceed the sum of the share components of all access licences in that management zone at the date of commencement of this Plan;

- (i) Nattai River Management Zone;
 - (ii) Little River Management Zone;
 - (iii) Lake Burragorang Management Zone, except where the access licence for which the amendment is proposed is held by the NSW Government or the Commonwealth for the purpose of providing water to the environment, and the amendment is for an environmental purpose;
 - (iv) Werriberri Creek Management Zone;
 - (v) Jenolan River Management Zone; or
 - (vi) Kedumba River Management Zone;
- (v) an access licence that nominates a water supply work located above Nepean Dam in the Maguires Crossing Management Zone in the Upper Nepean and Upstream Warragamba Water Source being amended to nominate a water supply work located below Nepean Dam in the Maguires Crossing Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (w) an access licence that nominates a water supply work located below Nepean Dam in the Maguires Crossing Management Zone in the Upper Nepean and Upstream Warragamba Water Source being amended to nominate a water supply work located above Nepean Dam in the Maguires Crossing Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (x) an access licence that nominates a water supply work located above Avon Dam, Cataract Dam or Cordeaux Dam in the Upper Nepean Headwaters and Tributaries Management Zone in the Upper Nepean and Upstream Warragamba Water Source being amended to nominate a water supply work located below Avon Dam, Cataract Dam or Cordeaux Dam in the Upper Nepean Headwaters and Tributaries Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
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- (y) an access licence that nominates a water supply work located below Avon Dam, Cataract Dam or Cordeaux Dam in the Upper Nepean Headwaters and Tributaries Management Zone in the Upper Nepean and Upstream Warragamba Water Source being amended to nominate a water supply work located above Avon Dam, Cataract Dam or Cordeaux Dam in the Upper Nepean Headwaters and Tributaries Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (z) an access licence that does not nominate a water supply work located in the hydrological catchment of the Jenolan River at and above the confluence with Pheasants Nest Creek in the Jenolan River Management Zone in the Upper Nepean and Upstream Warragamba Water Source being amended to nominate a water supply work located in the hydrological catchment of the Jenolan River at and above the confluence with Pheasants Nest Creek in the Jenolan River Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (aa) an access licence that does not nominate a water supply work located in the hydrological catchment of the Kowmung River including Tuglow Hole Creek at and above the confluence with Tuglow Hole Creek in the Kowmung River Management Zone in the Upper Nepean and Upstream Warragamba Water Source being amended to nominate a water supply work located in the hydrological catchment of the Kowmung River including Tuglow Hole Creek at and above the confluence with Tuglow Hole Creek in the Kowmung River Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (bb) an access licence that does not nominate a water supply work located in or upstream of a wild river in the Kowmung River Management Zone in the Upper Nepean and Upstream Warragamba Water Source being amended to nominate a water supply work located in or upstream of a wild river in the Kowmung River Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
- (cc) an access licence which nominates a water supply work located in the Menangle Weir Management Zone, the Camden Weir Management Zone, the Sharpes

Weir Management Zone, the Cobbity Weir Management Zone, the Mount Hunter Rivulet Weir Management Zone, the Brownlow Hill Weir Management Zone, the Theresa Park Weir Management Zone or the Wallacia Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source:

- (i) Mid Nepean River Catchment Management Zone;
 - (ii) Lower Nepean River Management Zone;
 - (iii) Erskine Creek and Glenbrook Creek Management Zone;
 - (iv) Grose River Management Zone;
 - (v) Capertee River Management Zone;
 - (vi) Colo River Management Zone;
 - (vii) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (viii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (ix) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone;
 - (x) Lower Hawkesbury River Management Zone;
 - (xi) Macdonald River Management Zone;
 - (xii) Upper South Creek Management Zone;
 - (xiii) Lower South Creek Management Zone;
 - (xiv) Cattai Creek Management Zone;
 - (xv) Berowra Creek and Cowan Creek Management Zone; or
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(xvi) Warragamba River Management Zone;

(dd) an access licence which nominates a water supply work located in one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in the Menangle Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences in the Menangle Weir Management Zone to exceed the sum of the share components of all access licences in the Menangle Weir Management Zone at the date of commencement of this Plan:

(i) Camden Weir Management Zone;

(ii) Sharpes Weir Management Zone;

(iii) Cobbity Weir Management Zone;

(iv) Mount Hunter Rivulet Weir Management Zone;

(v) Brownlow Hill Weir Management Zone;

(vi) Theresa Park Weir Management Zone; or

(vii) Wallacia Weir Management Zone;

(ee) an access licence which nominates a water supply work located in one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in the Camden Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences in the Camden Weir Management Zone to exceed the sum of the share components of all access licences in the Camden Weir Management Zone at the date of commencement of this Plan:

(i) Sharpes Weir Management Zone;

(ii) Cobbity Weir Management Zone;

(iii) Mount Hunter Rivulet Weir Management Zone;

- (iv) Brownlow Hill Weir Management Zone;
 - (v) Theresa Park Weir Management Zone; or
 - (vi) Wallacia Weir Management Zone;
- (ff) an access licence which nominates a water supply work located in one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in the Sharpes Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences in the Sharpes Weir Management Zone to exceed the sum of the share component of all access licences in the Sharpes Weir Management Zone at the date of commencement of this Plan:
- (i) Cobbity Weir Management Zone;
 - (ii) Mount Hunter Rivulet Weir Management Zone;
 - (iii) Brownlow Hill Weir Management Zone;
 - (iv) Theresa Park Weir Management Zone; or
 - (v) Wallacia Weir Management Zone;
- (gg) an access licence which nominates a water supply work located in one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in the Cobbity Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences in the Cobbity Weir Management Zone to exceed the sum of the share components of all access licences in the Cobbity Weir Management Zone at the date of commencement of this Plan:
- (i) Mount Hunter Rivulet Weir Management Zone;
 - (ii) Brownlow Hill Weir Management Zone;
 - (iii) Theresa Park Weir Management Zone; or
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- (iv) Wallacia Weir Management Zone;
 - (hh) an access licence which nominates a water supply work located in one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in the Mount Hunter Rivulet Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences in the Mount Hunter Rivulet Weir Management Zone to exceed the sum of the share components of all access licences in the Mount Hunter Rivulet Weir Management Zone at the date of commencement of this Plan:
 - (i) Brownlow Hill Weir Management Zone;
 - (ii) Theresa Park Weir Management Zone; or
 - (iii) Wallacia Weir Management Zone;
 - (ii) an access licence which nominates a water supply work located in one of the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in the Brownlow Hill Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences in the Brownlow Hill Weir Management Zone to exceed the sum of the share components of all access licences in the Brownlow Hill Weir Management Zone at the date of commencement of this Plan:
 - (i) Theresa Park Weir Management Zone; or
 - (ii) Wallacia Weir Management Zone;
 - (jj) an access licence which nominates a water supply work located in the Wallacia Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in the Theresa Park Weir Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, if it would cause the sum of the share components of all access licences in the Theresa Park Weir Management Zone to exceed the sum of the share components of all access licences in the Theresa Park Weir Management
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Zone at the date of commencement of this Plan;

- (kk) an access licence which nominates a water supply work located in a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in another management zone in the Hawkesbury and Lower Nepean Rivers Water Source that is one of the following:
 - (i) Mid Nepean River Catchment Management Zone;
 - (ii) Lower Nepean River Management Zone;
 - (iii) Erskine Creek and Glenbrook Creek Management Zone;
 - (iv) Grose River Management Zone;
 - (v) Lower Hawkesbury River Management Zone, except where the access licence for which the amendment is proposed is held by the NSW Government or the Commonwealth for the purpose of providing water to the environment, and the amendment is for an environmental purpose;
 - (vi) Upper South Creek Management Zone;
 - (vii) Lower South Creek Management Zone; or
 - (viii) Warragamba River Management Zone;
 - (ll) an access licence that does not nominate a water supply work located in or upstream of a wild river in the Grose River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in or upstream of a wild river in the Grose River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
 - (mm) an access licence which nominates a water supply work located in a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in another management zone in the Hawkesbury and Lower Nepean Rivers Water Source that is one of the following management zones, if it would cause the sum of the
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share components of all access licences in that management zone to exceed the sum of the share components of all access licences in that management zone at the date of commencement of this Plan:

- (i) Capertee River Management Zone;
 - (ii) Colo River Management Zone;
 - (iii) Macdonald River Management Zone;
 - (iv) Cattai Creek Management Zone; or
 - (v) Berowra Creek and Cowan Creek Management Zone;
- (nn) an access licence that does not nominate a water supply work located in or upstream of a wild river in the Capertee River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in or upstream of a wild river in the Capertee River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
- (oo) an access licence that does not nominate a water supply work located in the hydrological catchment of Crown Creek being amended to nominate a water supply work located in the hydrological catchment of Crown Creek in the Capertee River Management Zone;
- (pp) an access licence that does not nominate a water supply work located in or upstream of a wild river in the Colo River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in or upstream of a wild river in the Colo River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source;
- (qq) an access licence which nominates a water supply work located in a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in the Lower Nepean River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, unless:
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- (i) the dealing involves an access licence which nominates a water supply work located in one of the following management zones:
 - (A) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (B) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone; or
 - (C) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; and
 - (ii) the dealing would not cause the sum of the share components of all access licences with extraction components that specify the Lower Nepean River Management Zone to exceed by more than 3.65 GL the sum of the share components of all access licences that existed in the Lower Nepean River Management Zone at the date of commencement of this Plan;
- (rr) an access licence which nominates a water supply work located in a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in the Upper Hawkesbury River (Grose River to South Creek) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, unless the dealing involves an access licence which nominates a water supply work located in one of the following management zones:
- (i) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (ii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (iii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; or
 - (iv) Lower Nepean River Management Zone, provided that the dealing would not cause the sum of the share components of all access licences with
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extraction components that specify the Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone and Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone to exceed the sum of the share components of all access licences in those management zones at the date of commencement of this Plan;

- (ss) an access licence which nominates a water supply work located in a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in the Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, unless the dealing involves an access licence which nominates a water supply work located in one of the following management zones:
- (i) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (ii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (iii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; or
 - (iv) Lower Nepean River Management Zone, provided that the dealing would not cause the sum of the share components of all access licences with extraction components that specify the Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone and Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone to exceed the sum of the share components of all access licences in those management zones at the date of commencement of this Plan;
- (tt) an access licence which nominates a water supply work located in a management zone in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located in the Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone in the
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Hawkesbury and Lower Nepean Rivers Water Source, unless the dealing involves an access licence which nominates a water supply work located in one of the following management zones:

- (i) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (ii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone
 - (iii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; or
 - (iv) Lower Nepean River Management Zone, provided that the dealing would not cause the sum of the share components of all access licences with extraction components that specify the Hawkesbury River (Grose River to South Creek) Management Zone, Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone and Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone to exceed the sum of the share components of all access licences in those management zones at the date of commencement of this Plan;
- (uu) an access licence that does not nominate a water supply work located within a lagoon in the Hawkesbury and Lower Nepean Rivers Water Source being amended to nominate a water supply work located within a lagoon in the Hawkesbury and Lower Nepean Rivers Water Source;
- (vv) an access licence which nominates a water supply work located in a management zone in the Southern Sydney Rivers Water Source being amended to nominate a water supply work located in another management zone in the Southern Sydney Rivers Water Source that is one of the following:
- (i) Upper Woronora River Management Zone;
 - (ii) Lower Woronora River Management Zone;
 - (iii) Cabramatta Creek Management Zone;

- (iv) Cooks River and Botany Bay Management Zone; or
 - (v) Southern Sydney Coastal Management Zone;
 - (ww) an access licence which nominates a water supply work located in a management zone in the Southern Sydney Rivers Water Source being amended to nominate a water supply work located in another management zone in the Southern Sydney Rivers Water Source that is one of the following management zones, if it would cause the sum of the share components of all access licences in that management zone to exceed the sum of the share components of all access licences in that management zone at the date of commencement of this Plan;
 - (i) Hacking River Management Zone;
 - (ii) Prospect Creek Management Zone; or
 - (iii) Georges River Catchment Management Zone;
 - (xx) an access licence which does not nominate a water supply work located in the hydrological catchment of Harris Creek in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source being amended to nominate a water supply work located in the hydrological catchment of Harris Creek in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source;
 - (yy) an access licence which does not nominate a water supply work located in the hydrological catchment of Williams Creek in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source being amended to nominate a water supply work located in the hydrological catchment of Williams Creek in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source;
 - (zz) an access licence which does not nominate a water supply work located in the hydrological catchment of the Georges River above the Georges River at Liverpool Weir gauge (213400) in the Lower Georges River and Bunbury
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Curran Creek Management Zone in the Southern Sydney Rivers Water Source being amended to nominate a water supply work located in the hydrological catchment of the Georges River above the Georges River at Liverpool Weir gauge (213400) in the Lower Georges River and Bunbury Curran Creek Management Zone in the Southern Sydney Rivers Water Source;

(aaa) an access licence which nominates a water supply work located in a management zone in the Northern Sydney Rivers Water Source being amended to nominate a water supply work located in another management zone in the Northern Sydney Rivers Water Source that is one of the following management zones, if it would cause the sum of the share components of all access licences in that management zone to exceed the sum of the share components of all access licences in that management zone at the date of commencement of this Plan;

(i) Upper Parramatta River Management Zone;

(ii) Lower Parramatta River Management Zone; or

(iii) Northern Sydney Coastal Management Zone;

(bbb) an access licence which nominates a water supply work located in a management zone in the Northern Sydney Rivers Water Source being amended to nominate a water supply work located in another management zone in the Northern Sydney Rivers Water Source that is one of the following:

(i) Lane Cove River Management Zone; or

(ii) Middle Harbour Management Zone.

Part 12 Mandatory conditions

Division 1 Access licences

Note. This Division is made in accordance with sections 17 (c), 20 and 66 of the Act.

71 General

- (1) Access licences in these water sources must have mandatory conditions, where required, to give effect to the following:
 - (a) the relevant water allocation account management rules specified in Division 1 of Part 9 of this Plan for the respective category or subcategory of access licence;
 - (b) water must not be taken under an access licence otherwise than in compliance with the conditions applying to the water supply work approval for the water supply work through which water is to be taken;
 - (c) the holder of an access licence must keep a Logbook;
 - (d) the holder of an access licence must record the following in the Logbook:
 - (i) each date on which water was taken under the access licence;
 - (ii) the volume of water taken on that date;
 - (iii) the water supply work approval number of the water supply work used to take the water on that date;
 - (iv) the purpose or purposes for which the water was taken on that date;
 - (v) for domestic and stock access licences, local water utility access licences, unregulated river access licences and unregulated river (high flow) access licences, the volume of water taken in the first three water years in which this Plan has effect, by comparison to the maximum volume of water permitted to be taken in those years under clause 54 (1);
 - (vi) for domestic and stock access licences, local water utility access licences,

- unregulated river access licences and an unregulated river (high flow) access licences, the volume of water taken in any three consecutive water years after the first water year in which this Plan has effect, by comparison to the maximum volume of water permitted to be taken in those years under clause 54 (2); and
- (vii) any other information required to be recorded in the Logbook under the rules of this Plan;
- (e) the holder of an access licence must produce the Logbook to the Minister for inspection, when requested;
- (f) the holder of an access licence must retain the information required to be recorded in the Logbook for 5 years from the date to which that information relates;
- (g) the holder of an access licence must notify the Minister, in writing, immediately upon becoming aware of a breach of any condition of the licence; and
- (h) any other condition required to implement the provisions of this Plan.
- (2) All access licences of the subcategory “Aboriginal cultural” must have a mandatory condition that specifies that water must only be taken under the access licence by Aboriginal persons or Aboriginal communities for personal, domestic or communal purposes, including drinking, food preparation, washing, manufacturing traditional artefacts, watering domestic gardens, cultural teaching, hunting, fishing, gathering and for recreational, cultural and ceremonial purposes.
- (3) An access licence for a project under Part 3A of the *Environmental Planning and Assessment Act 1979* must have mandatory conditions, where required, to give effect to the relevant access rules for the taking of water specified in Division 2 of Part 9 of this Plan.
- (4) An access licence held by Shoalhaven City Council must have mandatory conditions for ordering water from Tallowa Dam that are consistent with the *Sydney Catchment Authority and Shoalhaven City Council Raw Water Supply Protocols* as signed on 5 January 2010 or as subsequently replaced or amended.
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- (5) For the purpose of this Division, a requirement to notify the Minister in writing is satisfied by making a notification in writing to the addresses listed in Appendix 3 of this Plan or to the email address for the NSW Office of Water Licensing Enquiries Information Center.

Note. At the commencement of this Plan, the email address for the Water Licensing Enquiries Information Center is information@water.nsw.gov.au.

Division 2 Water supply work approvals

Note. This Division is made in accordance with sections 17 (c) and 100 of the Act.

72 General

- (1) Water supply work approvals for water supply works in these water sources must have mandatory conditions, where required, to give effect to the following:
- (a) the water supply work must not be used to take water under an access licence unless in compliance with the relevant access rules for the taking of water as specified in Division 2 of Part 9 of this Plan;
 - (b) when directed by the Minister by notice in writing, the approval holder must have metering equipment installed that meets the following requirements:
 - (i) the metering equipment must accurately measure and record the flow of all water taken through the water supply work;
 - (ii) the metering equipment must comply with the *NSW Interim Water Meter Standards* (NSW Office of Water) as may be updated or replaced from time to time;
 - (iii) the metering equipment must be operated and maintained in a proper and efficient manner at all times;
 - (iv) the metering equipment must be sited and installed at a place in the pipe, channel or conduit between the water source and the first discharge outlet. There must be no flow of water into or out of the pipe, channel or conduit between the water source and the metering equipment; and
 - (v) any other requirements as to type, standard or other criteria for the
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metering equipment specified by the Minister by notice in writing;

Note. The Minister may direct a landholder or person to install, replace or to properly maintain metering equipment under section 326 of the Act.

- (c) the holder of a water supply work approval must keep a Logbook;
 - (d) the holder of a water supply work approval must record the following in the Logbook:
 - (i) each date on which water was taken using the water supply work;
 - (ii) the volume of water taken on that date;
 - (iii) the access licence number of the access licence under which water was taken on that date, or, if water was taken under some other authority (such as basic landholder rights entitlement), the authority under which water was taken;
 - (iv) the purpose or purposes for which the water was taken on that date;
 - (v) details of any cropping carried out using the water taken through the water supply work including the type of crop, area cropped and dates of planting and harvesting;
 - (vi) where metering equipment has been installed for use in connection with the water supply work, the meter reading before water is taken;
 - (vii) where metering equipment has not been installed for use in connection with the water supply work, details of all pumping activities for the water supply work including pump running hours, pump power usage or pump fuel usage, pump start and stop times, and pump capacity per unit of time; and
 - (viii) any other information required to be recorded in the Logbook under the rules of this Plan;
 - (e) the holder of a water supply work approval must produce the Logbook to the Minister for inspection, when requested;
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- (f) the holder of a water supply work approval must retain the information required to be recorded in the Logbook for 5 years from the date to which that information relates;
 - (g) the water supply work must not be used to take water unless, before water is taken, the holder of the water supply work approval confirms that environmental flow protection conditions do not apply and records that confirmation, and the means of confirmation (such as visual inspection or internet search), in the Logbook. In this paragraph *environmental flow protection conditions* means any condition on the water supply work approval, or on the access licence under which water is proposed to be taken, that prohibits the taking of water in a particular circumstance;
 - (h) the water supply work approval will lapse if construction of the water supply work is not completed within three years of the issue of the water supply work approval that authorises the construction of the work; and
 - (i) any other conditions required to implement the provisions of this Plan.
- (2) A water supply work approval for a runoff harvesting dam must have a mandatory condition which provides that the capacity of the dam must be no greater than the volume of the share components of the access licences that nominate the dam.
- (3) A water supply work approval held by the Sydney Catchment Authority must have mandatory conditions to give effect to the following:
- (a) the relevant system operation rules in Part 6 of this Plan;
 - (b) that the Sydney Catchment Authority must make data available to the Minister regarding flows at flow reference points operated by Sydney Catchment Authority at a frequency and time determined by the Minister; and
 - (c) that the Sydney Catchment Authority must notify the public at the earliest time that is practically possible and no later than 9:00 am of details of any releases from their storages for environmental and other purposes planned for the next 24 hours and details of any run of river town water supply transfers planned for the next 24 hours.
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- (4) A water supply work approval held by Eraring Energy must have mandatory conditions to give effect to the relevant system operation rules in Part 6 of this Plan.
- (5) A water supply work approval licence held by Delta Electricity must have mandatory conditions to give effect to the following:
 - (a) the relevant system operation rules in Part 6 of this Plan;
 - (b) that Delta Electricity must make data available to the Minister regarding flows at flow reference points operated by Delta Electricity at a frequency and time determined by the Minister; and
 - (c) that Delta Electricity must make data publicly available at the earliest time that is practically possible and no later than 9:00 am regarding details of any releases from their storages for environmental and other purposes planned for the next 24 hours and details of any run of river transfers planned for the next 24 hours.
- (6) The water supply work approval for Maldon Weir must have mandatory conditions to give effect to the relevant system operation rules in Part 6 of this Plan, which may include conditions requiring modification of the work, including installation of a fish ladder.
- (7) A water supply work approval for a water supply work to which clause 37 applies must have mandatory conditions requiring the holder of the water supply work approval to keep an ECA account and to release ECA water in accordance with clause 37.
- (8) A water supply work approval for a water supply work to which clause 38 applies must have mandatory conditions requiring the holder of the water supply work approval to keep a BEF account and to release BEF water in accordance with clause 38.
- (9) For the purpose of this Division, a requirement to notify the Minister in writing is satisfied by making a notification in writing to the addresses listed in Appendix 3 of this Plan or to the email address for the NSW Office of Water Licensing Enquiries Information Center.

Note. At the commencement of this Plan, the email address for the Water Licensing Enquiries

Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011

Information Center is information@water.nsw.gov.au.

Part 13 Amendment of this Plan

73 General

- (1) Amendments specified throughout this Plan, and in this Part, are amendments authorised by this Plan.
- (2) Where an amendment is authorised by this Plan, that authorisation includes any consequential amendments required to be made to the Plan to give effect to that particular amendment.

Note. For example, if Part 1 is amended to add a new management zone, this may require amendment to other parts of the Plan to include rules for that management zone.

- (3) An amendment authorised by this Plan which results in a variation of the bulk access regime, is an amendment authorised by this Plan for the purposes of sections 87 (2)(c) and 87AA of the Act.

74 Part 1

Part 1 may be amended to do any of the following:

- (a) apply this Plan to new or additional water sources or water management areas (including part thereof), or modify (including to amend the boundaries included in this Plan) or remove an existing water source or water management area (including part thereof);
- (b) add, remove or modify a management zone, including the water sources to which a management zone applies and the boundaries of such a zone;
- (c) add, remove or modify an extraction management unit, including the water sources to which an extraction management unit applies; and
- (d) amend the Registered Map.

75 Part 6

- (1) Part 6 may be amended to do any of the following:
 - (a) amend the release rules for Lake Yarrunga specified in clause 28 (2) to give
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effect to any amendments to the *2010 Metropolitan Water Plan* or subsequent Metropolitan Water Plans, or as a result of a NSW Government decision on water transfers between the Shoalhaven River Water Source and the Upper Nepean and Upstream Warragamba Water Source;

- (b) amend the transfer rules specified in clause 30 as a result of a NSW Government decision on water transfers between the Shoalhaven River Water Source and the Upper Nepean and Upstream Warragamba Water Source;
- (c) amend the interchange rules specified in clause 31;
- (d) amend the transmission loss factors in clauses 32 and 34 following a review of the factors by the Minister during the term of this Plan provided the transmission loss factors remain in the range of 0.5 to 1.0;
- (e) amend the release rules specified in clauses 32 (14) and 34 following a review of the factors that prevent the release requirements specified in those clauses from being met;
- (f) amend the release specified in clause 35 following a decision of the NSW Government relating to releases of planned environmental water and other water from Warragamba Dam;
- (g) amend the release rules specified in clause 36 following a review of the need for and adequacy of the high flow release specified in clause 36 (c) in meeting the needs of the environment downstream of Woronora Dam;
- (h) amend the ECA rules specified in clause 37 following a review of those rules;
- (i) vary the release rules specified in Part 6 for major utility access licence holders following a review of the major utility's activities conducted under section 282 of the Act;
- (j) amend Part 6 to include system operational rules for Danjera Creek Dam and the Flat Rock Creek Dam in the Lower Shoalhaven River Catchment Management Zone in the Shoalhaven River Water Source; or
- (k) amend clause 38 to establish banked environmental flow rules for Pheasants

Nest Weir, Broughtons Pass Weir, Maldon Weir, Menangle Weir, Camden Weir, Sharpes Weir, Cobbity Weir, Mount Hunter Rivulet Weir, Brownlow Hill Weir, Theresa Park Weir, Wallacia Weir or Penrith Weir.

- (2) Part 6 may be amended to give effect to environmental flow rules and infrastructure modifications to deliver environmental flows as a result of an investigation into the need for environmental releases from Manly Dam undertaken during the term of this Plan in accordance with the following stages:
 - (a) stage 1: feasibility, suitability and decision on whether to proceed to stage 2 to design environmental flow rules to be completed by Year 5 of this Plan;
 - (b) stage 2: design of environmental flows and decision on implementation date to be completed by Year 7 of this Plan; and
 - (c) stage 3: any infrastructure modifications necessary to deliver flows identified in stage 2 to commence by Year 8 of this Plan and to be completed by the implementation date established in stage 2.

 - (3) Part 6 may be amended to give effect to environmental flow rules and infrastructure modifications to deliver environmental flows as a result of an investigation into the need for environmental releases from water supply works owned and operated by Goulburn Mulwaree Shire Council, Wingecarribee Shire Council or Shoalhaven City Council undertaken during the term of this Plan in accordance with the following stages:
 - (a) stage 1: feasibility, suitability and decision on whether to proceed to stage 2 to design environmental flow rules to be completed by Year 5 of this Plan;
 - (b) stage 2: design of environmental flows and decision on implementation date to be completed by Year 7 of this Plan; and
 - (c) stage 3: any infrastructure modifications necessary to deliver flows identified in stage 2 to commence by Year 8 and to be completed by the implementation date established in stage 2.

 - (4) Water supply works subject to the investigation specified in subclause (3) are to be selected by agreement between the relevant council referred to in subclause (3) and
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the Minister.

- (5) Part 6 may be amended to give effect to environmental flow rules and infrastructure modifications to deliver environmental flows as a result of an investigation into the need for environmental releases from Lake Wallace in the Wywandy Management Zone in the Upper Nepean and Upstream Warragamba Water Source undertaken during the term of this Plan in accordance with the following stages:
 - (a) stage 1: feasibility, suitability and decision on whether to proceed to stage 2 to design environmental flow rules to be completed by Year 5 of this Plan;
 - (b) stage 2: design of environmental flows and decision on implementation date to be completed by Year 7 of this Plan; and
 - (c) stage 3: any infrastructure modifications necessary to deliver flows identified in stage 2 to commence by Year 8 of this Plan and to be completed by the implementation date established in stage 2.

 - (6) Part 6 may be amended to give effect to environmental flow rules and infrastructure modifications to deliver environmental flows as a result of an investigation if and when the Minister considers necessary into the need for environmental releases from the Wingecarribee Reservoir in the Upper Wingecarribee River Management Zone in the Upper Nepean and Upstream Warragamba Water Source undertaken during the term of this Plan in accordance with the following stages:
 - (a) stage 1: feasibility, suitability and decision on whether to proceed to stage 2 to design environmental flow rules to be completed by Year 5 of this Plan;
 - (b) stage 2: design of environmental flows and decision on implementation date to be completed by Year 7 of this Plan; and
 - (c) stage 3: any infrastructure modifications necessary to deliver flows identified in stage 2 to commence by Year 8 of this Plan and to be completed by the implementation date established in stage 2.

 - (7) Part 6 may be amended to give effect to environmental flow rules and infrastructure modifications to deliver environmental flows as a result of an independent and peer-reviewed investigation into the suitability and adequacy of transparent and translucent
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flow dam releases, annual channel maintenance flow releases, and drought triggers, including options and recommendations for these rules, for Lilyvale Dam in the Wywandy Management Zone in the Upper Nepean River and Upstream Warragamba Water Source, which is to be completed by the end of Year 5 of this Plan.

- (8) Part 6 may be amended to give effect to environmental flow rules and infrastructure modifications to deliver environmental flows as a result of an independent and peer-reviewed investigation into the suitability and adequacy of licensed Thompsons Creek Flow Releases, including options and recommendations for these rules, for Thompsons Creek Dam in the Wywandy Management Zone in the Upper Nepean River and Upstream Warragamba Water Source, which is to be completed by the end of Year 5 of this Plan.
- (9) Any new environmental release rules under subclauses (2), (3) and (5)-(8) must be developed in consultation with appropriate stakeholders as determined by the Minister.

76 Part 7

Part 7 may be amended to do any of the following:

- (a) amend a long-term average annual extraction limit specified in clause 41 (5) in accordance with the outcomes of a review referred to in clause 44 (4);
 - (b) amend the assessment of average annual extraction against the long-term average annual extraction limit under clause 43 and compliance with the long-term average annual extraction limit for an extraction management unit under clause 44 following an amendment under paragraph (a);
 - (c) increase a long-term average annual extraction limit specified in clause 41 (4) for the Hawkesbury and Lower Nepean Rivers Extraction Management Unit by a maximum of 5% of average annual usage to account for growth in use by Sydney Water Corporation; or
 - (d) amend a long-term average annual extraction limit for the Hawkesbury and Lower Nepean Rivers Extraction Management Unit specified in clause 41 (5) to account for average annual evaporation and other water losses from Penrith Lakes as estimated by the Minister.
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77 Part 8

Part 8 of this Plan may be amended to allow applications to be made for an unregulated river (subcategory “Aboriginal community development”) access licence for the taking of water from B class flows from the following management zones and water sources, following an amendment to the rules specified in Part 9 of this Plan:

- (a) Lake Illawarra Management Zone in the Illawarra Rivers Water Source;
- (b) Jenolan River Management Zone in the Upper Nepean and Upstream Warragamba Water Source; or
- (c) in the following management zones in the Southern Sydney Rivers Water Source:
 - (i) Georges River Catchment Management Zone; or
 - (ii) Hacking River Management Zone.

78 Part 9

Division 2 of Part 9 of this Plan may be amended to do any of the following:

- (a) subject to paragraph (b), establish new flow classes or access rules for the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source following a review undertaken by the Minister:
 - (i) Upper Hawkesbury River (Grose River to South Creek) Management Zone;
 - (ii) Upper Hawkesbury River (South Creek to Cattai Creek) Management Zone;
 - (iii) Upper Hawkesbury River (Cattai Creek to Colo River) Management Zone; or
 - (iv) Lower Hawkesbury River Management Zone;
 - (b) in developing new flow classes or access rules under paragraph (a) the Minister must:
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- (i) consult with the Department of Environment, Climate Change and Water, Industry and Investment NSW, the relevant catchment management authority and representatives of interest groups and water users as determined by the Minister;
 - (ii) provide a report to the groups referred to in subparagraph (i) detailing the following:
 - (A) any methodology used to develop the proposed new flow classes or access rules;
 - (B) any field results and conclusions in terms of the degree to which the new flow classes or access rules meet the objectives in clause 10 (b), (c), (e), (f), (g) and (k) of this Plan;
 - (C) any field results and conclusions in regard to whether the new flow class rules or access rules should be adopted based on salinity levels, inflows from upstream water sources or other management approaches, including consideration of:
 - (1) the homogeneity of the tidal pool indicating whether rules apply across the water source or whether specific rules may apply to management zones or areas within the water source;
 - (2) the suitability of sites for measurement of flow or salinity levels;
 - (3) the significance of extraction on salinity levels, if required;
 - (4) ecosystem requirements; and
 - (5) ecological considerations;
 - (D) consideration of relevant studies relating to the proposed flow classes or access rules including the outcomes of any low flow verification studies; and
 - (E) the socio-economic impacts of the proposed new flow classes or access rules;
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- (c) amend the existing flow classes or establish a new or additional flow class or flow classes for the Fitzroy Falls Management Zone in the Shoalhaven River Water Source, after Year 5 of this Plan, provided that:
 - (i) the top of the Very Low Flow Class and the bottom of A Class is at or below the 95th percentile flow at the flow reference point; and
 - (ii) the Minister is satisfied that water users are able to store sufficient water for dry times;
 - (d) amend the access rules for Little Wheeney Creek after Year 5 of this Plan following the creation of a new management zone for Little Wheeney Creek in the Hawkesbury and Lower Nepean Rivers Water Source under clause 74;
 - (e) amend the access rules that apply to access licences held by Penrith Lakes Development Corporation;
 - (f) amend the access rules for any new management zone established at and above Penrith Weir, including to establish new flow classes and a new flow reference point at the river flow gauge at Penrith Weir;
 - (g) amend the access rules for lagoons, lakes, in-river pools and other lentic water bodies to specify a drawdown condition that requires access licence holders to cease taking water when the water level in the lagoons, lakes, in-river pools and other lentic water body is below a specified level;
 - (h) any drawdown conditions specified for a lagoon, lake, in-river pool or other lentic water body under paragraph (g) are to be developed in accordance with a process determined by the Minister that considers the following objectives:
 - (i) provision of refuge for threatened and other aquatic species during periods of low or no flow;
 - (ii) maintenance of natural wetting and drying cycles;
 - (iii) maintenance of natural rates of change in water levels to reduce the possibility of bank slumping and isolation of aquatic animal species;
 - (iv) maintenance of water quality, particularly temperature, for the protection
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- of native fish and other aquatic life;
- (v) maintenance of groundwater within natural levels and variability;
 - (vi) protection of basic landholder rights; and
 - (vii) ensuring equitable sharing of water between users;
- (i) once a drawdown condition is specified for a lagoon, lake, in-river pool or other lentic water body under paragraph (g), it may only be amended after Year 5 of this Plan following a study undertaken by the Minister that considers the objectives specified in paragraph (h) (i)-(vii) that shows the drawdown condition requires amending;
 - (j) include rules regarding the transfer of water from rivers to lagoons;
 - (k) amend the flow classes and access rules to provide protection of water for significant Aboriginal cultural sites and places following assessments undertaken by the Minister;
 - (l) amend the access rules and flow classes to provide protection for run-of-river transfers for town water supply purposes made by the Sydney Catchment Authority via the Wingecarribee River and Wollondilly River and made by Goulburn Mulwaree Council via the Upper Wollondilly River;
 - (m) amend the existing flow classes, establish a new or additional flow class or flow classes and amend the flow reference point for the Yarrunga Creek Management Zone in the Shoalhaven River Water Source following an amendment to the environmental release requirements for Fitzroy Falls Reservoir or the interchange rules specified in Part 6;
 - (n) amend the existing flow classes, establish a new or additional flow class or flow classes or amend the flow reference point for the Broughton Creek Management Zone or the Broughton Mill Creek Management Zone in the Shoalhaven River Water Source if further gauging is undertaken at the flow reference points for these management zones to establish the percentile flow values more accurately or if the flow reference points are relocated to a more appropriate site with the same percentile flows;
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- (o) amend the existing flow classes, establish a new or additional flow class or flow classes and amend the flow reference point to specify a newly installed gauge in the Jaspers Brush Creek and Tributaries Management Zone in the Shoalhaven River Water Source after Year 5 of this Plan, so that the top of the Very Low Flow Class and the bottom of A Class is at or below the 95th percentile flow at the newly installed gauge;
 - (p) amend the existing flow classes, establish a new or additional flow class or flow classes and amend the flow reference point to specify a newly installed gauge in the Kowmung River Management Zone in the Upper Nepean and Upstream Warragamba Water Source after Year 5 of this Plan, so that the top of the Very Low Flow Class and the bottom of A Class is at or below the 95th percentile flow at the newly installed gauge and the top of the Very Low Flow Class and the bottom of A Class is at or below the 80th percentile flow at the newly installed gauge after Year 9 of this Plan;
 - (q) amend the existing flow classes, establish a new or additional flow class or flow classes and the access rules for management zones in the Hawkesbury and Lower Nepean Rivers Water Source following an amendment to the rules for this water source specified in Part 6;
 - (r) amend the existing flow classes or establish new flow classes for the Grose River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, after Year 5 of this Plan, so that the top of A Class and the bottom of B Class is at or below the 80th percentile flow and the top of B Class and the bottom of C Class is at or below the 50th percentile flow at the flow reference point, if the Minister is satisfied that a review of this Plan or further Departmental investigations shows in-stream values are at risk from extractions;
 - (s) amend the existing flow classes or establish new flow classes for the Colo River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source, after Year 5 of this Plan, so that the top of the Very Low Flow Class and the bottom of A Class is at or below the 90th percentile flow, if the Minister is satisfied that a review of this Plan or further Departmental investigations shows in-stream values are at risk from extractions;
 - (t) amend the existing flow classes, establish new flow classes and/or amend the
-

flow reference point to specify a newly installed gauge for the Georges River Catchment Management Zone in the Southern Sydney Rivers Water Source, after Year 5 of this Plan, so that the top of the Very Low Flow Class and the bottom of A Class is at or below the 90th percentile flow at the flow reference point, the top of A Class and the bottom of B Class is at or below the 80th percentile flow at the flow reference point, and the top of B Class and the bottom of C Class is at or below the 50th percentile flow at the flow reference point;

- (u) amend the existing flow classes, establish new flow classes or establish new access rules for the Northern Sydney Coastal Management Zone in the Northern Sydney Rivers Water Source, after Year 5 of this Plan, if environmental flow rules are established for Manly Dam under clause 75 (2) of this Plan;
 - (v) amend the existing flow classes, establish new flow classes or establish new access rules for the following management zones and water sources after Year 5 of this Plan, if environmental flow rules are established for water supply works owned and operated by Goulburn Mulwaree Shire Council, Wingecarribee Shire Council or Shoalhaven City Council under clause 75 (3) of this Plan:
 - (i) in the following management zones in the Shoalhaven River Water Source:
 - (A) Bundanoon Creek Management Zone;
 - (B) Lower Shoalhaven River Management Zone; and
 - (C) Lower Shoalhaven River Catchment Management Zone;
 - (ii) in the following management zones in the Upper Nepean and Upstream Warragamba Water Source:
 - (A) Upper Wingecarribee River Management Zone;
 - (B) Lower Wingecarribee River Management Zone;
 - (C) Upper Wollondilly River Management Zone; and
 - (D) Lower Wollondilly River Management Zone;
-

- (w) amend the existing flow classes, establish new flow classes or establish new access rules for the following management zones in the Upper Nepean and Upstream Warragamba Water Source after Year 5 of this Plan, if environmental flow rules are established for Lake Wallace under clause 75 (5) of this Plan:
 - (i) Wywandy Management Zone; or
 - (ii) Dharabuladh Management Zone;
- (x) amend the existing flow classes, establish new flow classes or establish new access rules for the Upper Wingecarribee River Management Zone in the Upper Nepean and Upstream Warragamba Water Source after Year 5 of this Plan, if environmental flow rules are established for the Wingecarribee Reservoir under clause 75 (6) of this Plan;
- (y) amend the existing flow classes, establish new flow classes or establish new access rules for the Wywandy Management Zone in the Upper Nepean and Upstream Warragamba Water Source after Year 5 of this Plan, if environmental flow rules are established for Lake Lyell under clause 75 (7) of this Plan;
- (z) amend the existing flow classes, establish new flow classes or establish new access rules for the Wywandy Management Zone in the Upper Nepean and Upstream Warragamba Water Source after Year 5 of this Plan, if environmental flow rules are established for Thompsons Creek Dam under clause 75 (8) of this Plan;
- (aa) amend the existing flow classes, establish new flow classes, and/or amend the flow reference point to specify a newly installed gauge in the following management zones and water sources, so that the top of A Class and the bottom of B Class is at or below the 50th percentile flow at the newly installed gauge:
 - (i) the Lake Illawarra Management Zone in the Illawarra Rivers Water Source;
 - (ii) the following management zones in Upper Nepean and Upstream Warragamba Water Source:
 - (A) Kedumba River Management Zone; or

- (B) Jenolan River Management Zone; or
 - (C) Kowmung River Management Zone;
- (iii) the following management zones in the Southern Sydney Rivers Water Source:
 - (A) Colo River Catchment Management; or
 - (B) Hacking River Management Zone;
- (bb) amend the existing flow classes, establish new flow classes or establish new access rules in the following management zones and water sources following an amendment under clause 75 (1) (d):
 - (i) Maldon Weir Management Zone in the Upper Nepean and Upstream Warragamba Water Source;
 - (ii) the following management zones in the Hawkesbury and Lower Nepean Rivers Water Source:
 - (A) Menangle Weir Management Zone;
 - (B) Camden Weir Management Zone;
 - (C) Sharpes Weir Management Zone;
 - (D) Cobbity Weir Management Zone;
 - (E) Mount Hunter Rivulet Weir Management Zone;
 - (F) Brownlow Hill Weir Management Zone;
 - (G) Theresa Park Weir Management Zone; and
 - (H) Wallacia Weir Management Zone;
- (cc) establish new flow classes in any water source where management zones are added, or in any water source or management zone that is amended during the term of this Plan under clause 74;

- (dd) add, remove or modify the flow reference points for these water sources or management zones;
 - (ee) add, remove or modify the description of flows at the flow reference point for these water sources or management zones as a result of an amendment under paragraph (dd);
 - (ff) add, remove or modify the commencement date for a flow class;
 - (gg) add, remove or modify the water sources or management zones to which any flow class applies;
 - (hh) amend clause 57 to modify the volume of water permitted to be taken for stock watering under clause 57 (19) (c);
 - (ii) amend clause 57 to provide for new access rules following a period of access to very low flows under clause 57 (1) (d);
 - (jj) establish or assign new TDELS in these water sources or management zones to protect water held under an access licence for the purpose of providing water to the environment;
 - (kk) establish or assign new TDELS in these water sources or management zones to protect a proportion of flow within each flow class for the environment;
 - (ll) amend or remove TDELS if TDELS have been established or assigned under paragraphs (jj) and/or (kk);
 - (mm) include rules for the establishment, assignment and removal of IDELS on access licences, including to impose rules for the establishment of IDELS and to impose mandatory conditions in relation to IDELS;
 - (nn) amend clause 57 to remove the existing access rules where new TDELS and/or IDELS have been established under paragraphs (kk) and/or (mm) to protect a proportion of flow within each flow class for the environment;
 - (oo) amend clause 57 to reinstate access rules that applied at the commencement of this Plan, where TDELS and IDELS have been removed under paragraphs (ll) and (mm);
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- (pp) establish and/or assign additional TDELs for the Minnamurra River Management Zone in the Illawarra Rivers Water Source after Year 6 of this Plan so that the TDEL is equal to or less than 30% of the 50th percentile flow at the flow reference point for B Class and 30% of the 30th percentile flow at the flow reference point for C Class, if the Minister is satisfied that a review of this Plan or further Departmental investigations shows that high in-stream values are at risk from extractions;
- (qq) establish and/or assign additional TDELs for the Macquarie Rivulet Management Zone in the Illawarra Rivers Water Source after Year 6 of this Plan so that the TDEL is equal to or less than 60% of the 50th percentile flow at the flow reference point for B Class and 30% of the 30th percentile flow at the flow reference point for C Class, if the Minister is satisfied that a review of this Plan or further Departmental investigations shows that in-stream values are at risk from extractions;
- (rr) establish and/or assign additional TDELs for the Lower Wingecarribee River Management Zone or the Upper Wingecarribee River Management Zone in the Illawarra Rivers Water Source after Year 6 of this Plan so that the TDEL is equal to or less than 30% of the 50th percentile flow at the respective flow reference point for B Class and 30% of the 30th percentile flow at the respective flow reference point for C Class, if the Minister is satisfied that a review of this Plan or further Departmental investigations shows that in-stream values are at risk from extractions;
- (ss) establish and/or assign additional TDELs for the Grose River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source after Year 6 of this Plan so that the TDEL is equal to or less than 30% of the 80th percentile flow at the flow reference point for A Class, 30% of the 50th percentile flow at the flow reference point for B Class and 30% of the 30th percentile flow at the flow reference point for C Class, if the Minister is satisfied that a review of this Plan or further Departmental investigations shows that in-stream values are at risk from extractions;
- (tt) establish and/or assign additional TDELs for the Lower South Creek Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source

so that the TDEL is equal to or less than 30% of the 50th percentile flow at the flow reference point for A Class and 30% of the 30th percentile flow at the flow reference point for B Class, if discharges from the St Marys Water Recycling Plant cease;

- (uu) establish and/or assign additional TDELs for the Georges River Catchment Management Zone in the Southern Sydney Rivers Water Source after Year 6 of this Plan so that the TDEL is equal to or less than 30% of the 80th percentile flow at the flow reference point for A Class, 30% of the 50th percentile flow at the flow reference point for B Class and 30% of the 30th percentile flow at the flow reference point for C Class, following the installation of a gauge in or near this management zone and if the Minister is satisfied that a review of this Plan or further Departmental investigations shows that in-stream values are at risk from extractions;
- (vv) establish and/or assign TDELs for the Upper Shoalhaven River Management Zone of the Shoalhaven River Water Source such that the TDEL is equal to or less than 30% of the 50th percentile flow at the flow reference point for A Class, and 30% of the 30th percentile flow at the flow reference point for B Class, if the Minister is satisfied that a review of this Plan or further Departmental investigations shows that in-stream values are at risk from extractions;
- (ww) establish and/or assign TDELs and/or IDELs for a management zone specified in clause 58 (4) or clause 58 (6);
- (xx) decrease and/or reassign TDELs for a management zone or water source following the purchase and/or cancellation of an access licence in that management zone; or
- (yy) amend the access rules specified in clauses 57 (1) (c), 57 (1) (d) and 57 (2)-(3) following a review conducted under clause 57 (1) (e).

79 Part 10

Part 10 may be amended to do any of the following:

- (a) amend clause 62 to specify water sources or management zones where water supply work approvals must not be granted or amended to authorise an in-river

dam; or

- (b) amend clause 62 to add or remove water sources or management zones where water supply work approvals must not be granted or amended for water supply works to take water from lagoons.

80 Part 11

Part 11 may be amended to allow the conversion of unregulated river access licences to unregulated river (high flow) access licences in the following management zones and water sources following an amendment to the rules specified in Part 9 of this Plan for these management zones:

- (a) the following management zones in the Upper Nepean and Upstream Warragamba Water Source:
 - (i) Kedumba River Management Zone; or
 - (ii) Kowmung River Management; or
- (b) Lower Hawkesbury River Management Zone in the Hawkesbury and Lower Nepean Rivers Water Source.

81 Schedules

- (1) Schedule 1 may be amended to add, modify and/or remove a definition.
- (2) Schedule 2 may be amended to do any of the following:
 - (a) add a new access licence to clause 1 of Schedule 2, provided that a written request has been made to the Minister and the Minister is satisfied that extraction under the access licence is for a purpose covered in clause 57 (19) (a) and that purpose was specified on, or referred to in the conditions of the former *Water Act 1912* entitlement that was replaced by the access licence;
 - (b) add a local water utility access licence or an unregulated river (subcategory “town water supply”) access licence to clause 2 of Schedule 2, provided the Minister is satisfied that the water supply system used to take, store and deliver water has not undergone major augmentation since the commencement of this

Plan;

- (c) remove a local water utility access licence or an unregulated river (subcategory “town water supply”) access licence or former *Water Act 1912* entitlement from Schedule 2 if:
 - (i) an access licence dealing results in water under the licence being taken from a different location;
 - (ii) an alternative water supply is obtained; or
 - (iii) the licence is surrendered or cancelled or its purpose ceases to exist;
 - (d) remove a local water utility access licence or former *Water Act 1912* entitlement from clause 2 of Schedule 2 if the Minister is satisfied that the water supply system used to extract, store and deliver water has undergone major augmentation since the commencement of this Plan;
 - (e) add a new access licence to clause 2 of Schedule 2, provided that the Minister is satisfied that the access licence is for the purpose of power generation and that purpose was specified on, or referred to in the conditions of, the former *Water Act 1912* entitlement that the access licence replaced on commencement of this Plan; and/or
 - (f) remove an access licence from clause 2 of Schedule 2.
- (3) Schedule 2 may be deleted if the Minister is satisfied that it is no longer required.
- (4) Schedule 3 may be amended to do any of the following:
- (a) remove an access licence or former *Water Act 1912* entitlement from Schedule 3; or
 - (b) add an access licence to Schedule 3.
- (5) Schedule 3 may be deleted if the Minister is satisfied that it is no longer required.

82 Other

- (1) This Plan may be amended to provide for the management of floodplain harvesting
-

within these water sources.

- (2) This Plan may be amended to provide for the shepherding of water.
- (3) This Plan may be amended to incorporate new release rules for Warragamba Dam, to provide for the passage of those releases and to establish new access rules following a decision by the NSW Government on the requirements for releases from Warragamba Dam for environmental and other purposes.
- (4) This Plan may be amended to include rules to provide for any new category or subcategory of access licence established for the purpose of stormwater harvesting.
- (5) This Plan may be amended to provide rules for the interception of runoff from land before it reaches a stream by plantations or other means.
- (6) This Plan may be amended to allow for the granting of aquifer interference approvals and the management of aquifer interference activities.
- (7) This Plan may be amended to secure water savings associated with the Commonwealth of Australia and NSW Government Hawkesbury-Nepean River Recovery Project.
- (8) This Plan may be amended to include or amend rules in relation to record-keeping. This includes amendments in relation to requirements for Logbooks following the installation of meters with telemetry.
- (9) Consequential amendments may be made to this Plan as a result of an amendment to the Act or regulations.

Schedule 1 Dictionary

Aboriginal person has the same meaning as under section 4 of the *Aboriginal Land Rights Act 1983*.

alluvial sediments means unconsolidated fluvio-lacustrine sediments.

black start means the provision of electricity to the national grid by Eraring Energy in order to restore operation of the electricity system in the event of a partial or complete shutdown of coal-fired power stations, and the subsequent power outages.

dead storage means the portion of a water storage capacity that is equal to the volume of water below the level of the lowest outlet (the minimum supply level). This water cannot be accessed under normal operating conditions.

divert means the transfer of water by artificial means from one storage to another by a route which differs from the route the water otherwise would have taken.

fractured rock means sedimentary, igneous and metamorphic rocks with fractures, joints, bedding planes and cavities in the rock mass that are capable of transmitting water.

full containment volume means the volume of water that is impounded in the pool, lagoon or lake when the level of water in the pool, lagoon or lake is at the high water mark.

Full Supply Level means the normal maximum operating water level of a water storage when not affected by floods. This water level usually corresponds to the spillway water level or 100% capacity.

grazeable area means, for an individual landholding, the area of pasture in hectares for a pasture type that is accessible for stock grazing and able to grow appropriate vegetation for stock grazing, but does not include impervious surfaces (such as rocks or rocky terrain, man-made structures, mines or quarries) or other such surfaces that do not support grazing vegetation such as water bodies and forested floors with no undergrowth.

individual daily extraction limit (IDEL) is the volume of water that may be extracted by an individual access licence from an unregulated river on a daily basis from a particular flow class.

in-river dam means a dam located in a river.

in-river dam pool means the area of water immediately upstream of an in-river dam where the river has pooled as a result of an in-river dam.

interchange means the movement of water from one storage to another, and the return of that water to the original storage by Eraring Energy.

lentic water body means a water source, such as a swamp, bog or marsh where water levels do not experience a corresponding decrease when nearby river water levels decrease.

Logbook, in relation to an access licence or water supply work approval, means a written record, kept in hard copy or electronic form, which accurately records all information required to be kept in relation to the access licence or water supply work approval under the rules of this Plan.

management zone is an area within a water source in which rules particular to that management zone will apply, for example daily extraction limits and restrictions on dealings.

mangrove limit is as defined in the *DIPNR Survey of tidal limits and mangrove limits in NSW estuaries 1996 to 2005* (NSW Dept of Commerce, Manly Hydraulics Laboratory).

porous rock means consolidated sedimentary rock containing voids, pores or other openings (such as joints, cleats and/or fractures) which are interconnected, in the rock mass and are capable of transmitting water.

Registered Map for these water sources has the same meaning as in clause 4 (2) of this Plan.

runoff harvesting dam has the same meaning as in the *Access Licence Dealing Principles Order 2004*.

shepherding means the delivery of a calculated volume of water that was created by non-activation/reduced extraction at a nominated licence location to a more downstream location, after consideration of losses, where it will be made available for extraction or use for the environment.

signal stage is the stage of the weir necessary to deliver a required environmental release over a 24-hour period.

stage of the weir means the current recorded operating level of the reservoir behind the weir.

stream order means the stream order defined by the Strahler stream ordering method.

Note. The Strahler stream ordering method is as described in the Order made under section 5 of the *Water Act 1912* published in the NSW Government Gazette No 37 on 24 March 2006 page 1500, or as may be amended or updated from time to time by further order.

total active storage means the total volume of water in the water storage minus the volume of dead storage.

total daily extraction limit (TDEL) is the volume of water that may be extracted under access licences from an unregulated river on a daily basis from a particular flow class.

total storage capacity means the entire volume of water contained by the water storage at Full Supply Level; equal to the sum of the active storage capacity plus the dead storage capacity.

transmission losses are any loss of water volume, through natural influences such as evaporation or seepage, which occurs as water travels down a river.

visible flow means continuous downstream movement of water that is perceptible to the eye.

Water Act 1912 entitlement has the same meaning as an entitlement has in clause 2 of Schedule 10 to the Act.

water storage means the water body impounded by a dam, weir or other structure, which is used to regulate and manage river flows in this water source.

water year means a year commencing 1 July.

wild river means any river or part of a river that has been declared to be a wild river by notification published in the NSW Government Gazette under section 61 of the *National Parks and Wildlife Act 1974*.

Schedule 2 Access licences used to take surface water exempt from environmental flow protection rules

1 General

This clause applies to each access licence which replaces a *Water Act 1912* entitlement listed in the table below.

<i>Water Act 1912</i> entitlements that will be replaced by access licences on commencement of this Plan
10SL006794
10SL013070
10SL050391
10SL014409
10SL029684
10SL056510
10SL042316
10SL020207
10SL023413
10SL028407
10SL055237
10SL055238
10SL018329
10SL035240
10SL015258
10SL023611
10SL039000
10SL050710
10SL015269
10SL026074
10SL055154
10SL055264
10SL015751
10SL033017
10SA002505
10SL056161
10SL035501
10SL055832
10SL055893

<i>Water Act 1912</i> entitlements that will be replaced by access licences on commencement of this Plan

10SL056319

10SL055951

2 Local water utility, major utility and unregulated river (subcategory “town water supply”) access licences

This clause applies to each access licence which replaces a *Water Act 1912* entitlement listed in the table below.

<i>Water Act 1912</i> entitlements that will be replaced by local water utility access licences, major utility access licences or unregulated river (subcategory “town water supply”) access licences on commencement of this Plan

10SL028286

10SL004906

10SL055778

10SL019917

10SL033765

10SL031240

10SL038153

10SL043411

10SL056654

10SL031296

10SL023376

10SL031712

10SA001409

Delta Electricity Water Management Licence
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Sydney Catchment Authority Water Management Licence

Sydney Water Corporation Water Management Licence

Water Management Licence Issued to Eraring Energy

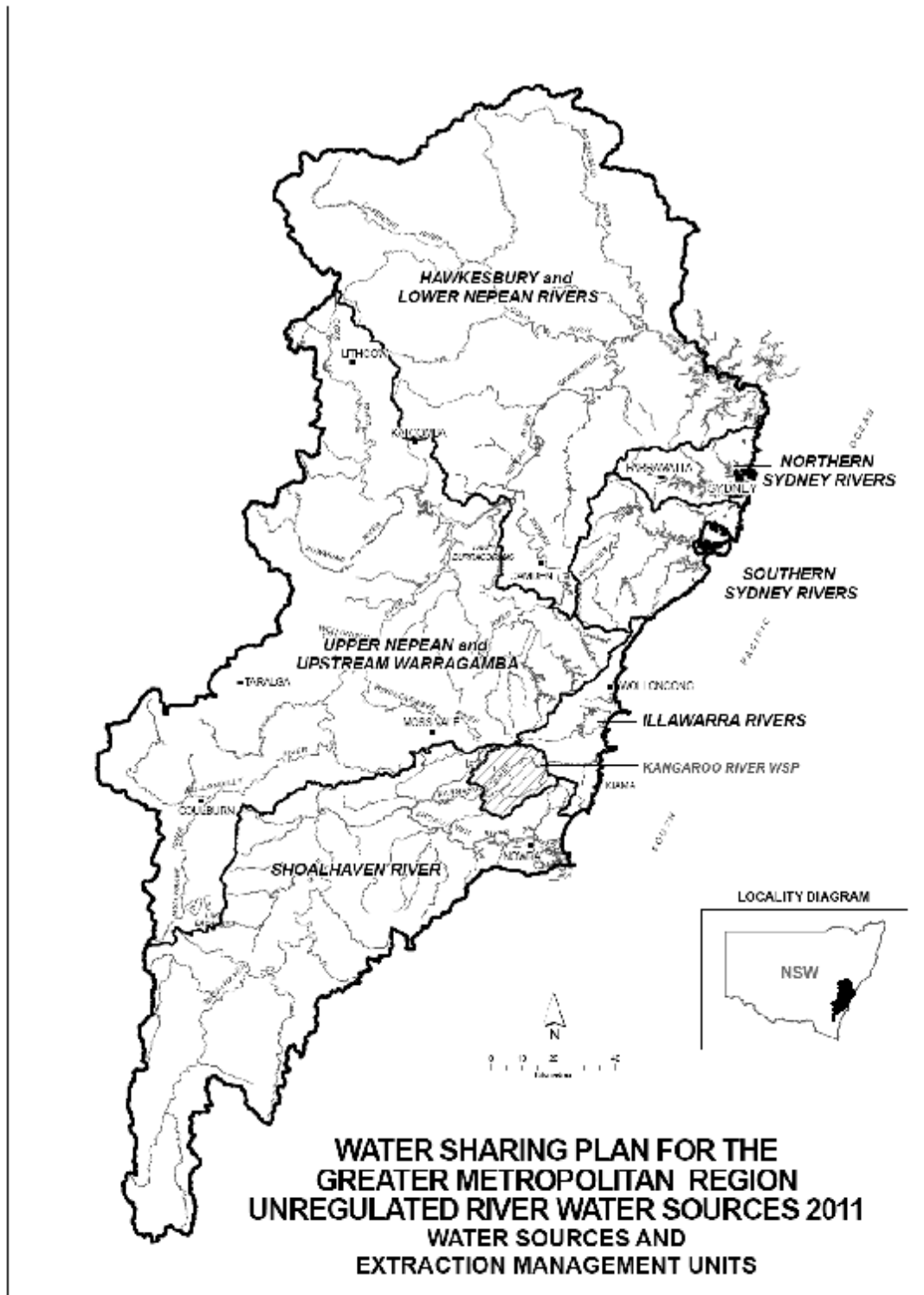
Schedule 3 Access licences used to take water from lagoons exempt from environmental flow protection rules

This Schedule applies to each access licence which replaces a *Water Act 1912* entitlement listed in the table below.

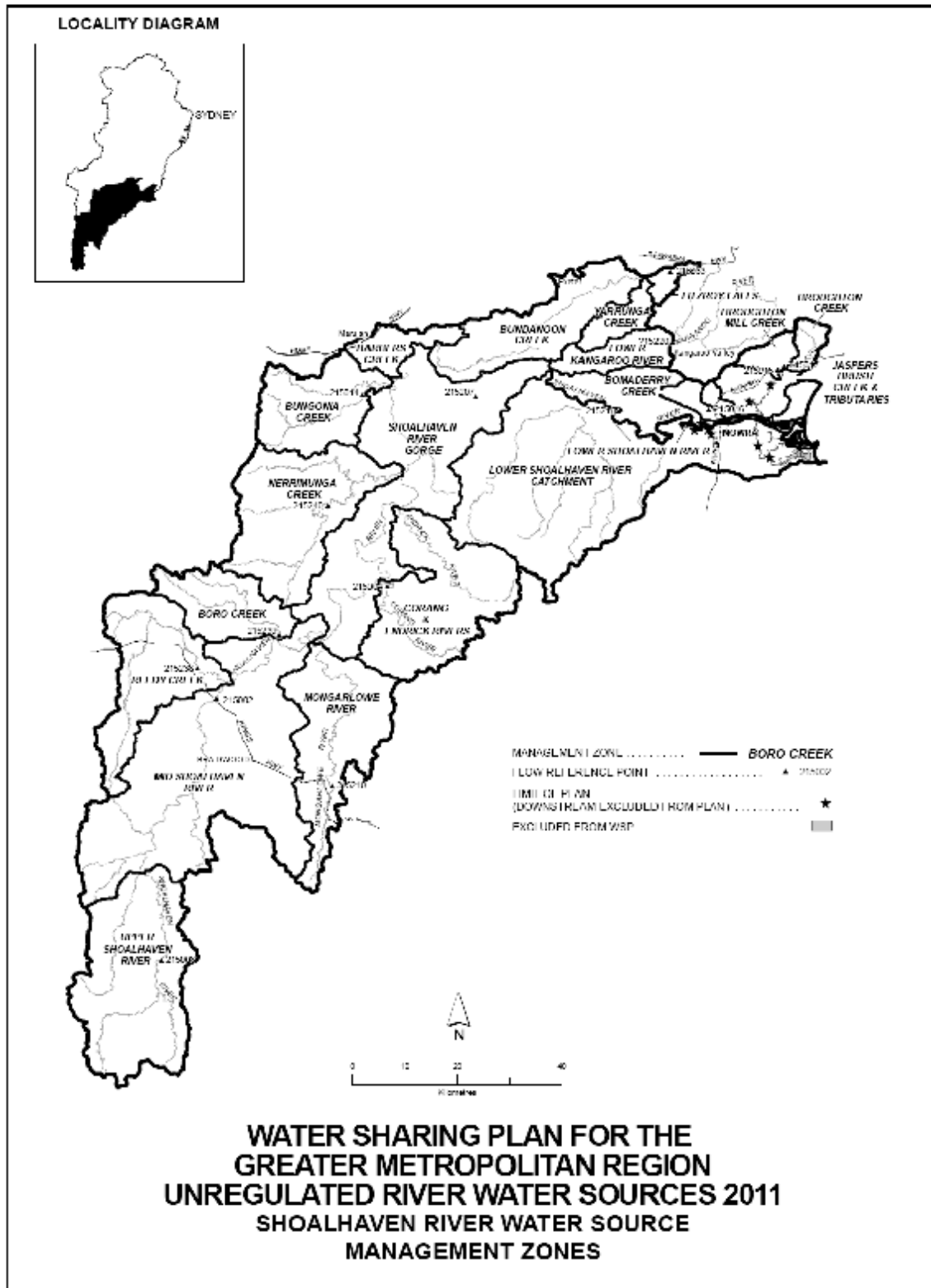
<i>Water Act 1912</i> entitlements that will be replaced by access licences on commencement of this Plan
10SL055521
10SL023837
10SL027842
10SL034814
10SL043801
10SL047904
10SL050408
10SL055642
10SL056347
10SL014361
10SL018765
10SL046760
10SL056071
10SL035217
10SL055576
10SL007737
10SL056327
10SL017202
10SL045144
10SL055386
10SL055859
10SL056535
10SL022214
10SL022297
10SL022362
10SL022448
10SL027180
10SL028843
10SL029552
10SL029785

<i>Water Act 1912</i> entitlements that will be replaced by access licences on commencement of this Plan
10SL039133
10SL047925
10SL055543
10SL055544
10SL055570
10SL055808
10SL056631

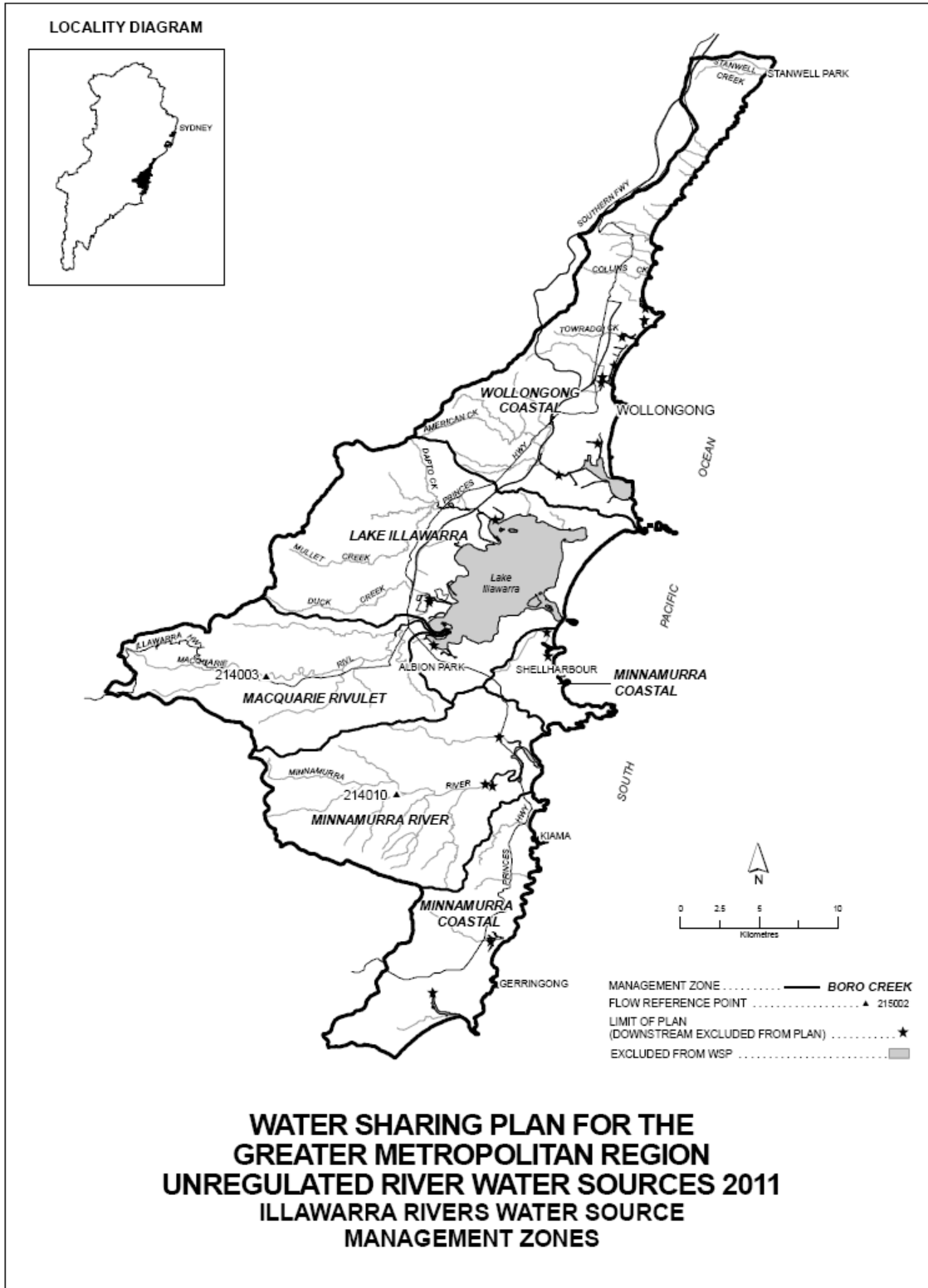
Appendix 1 Overview of the Registered Map

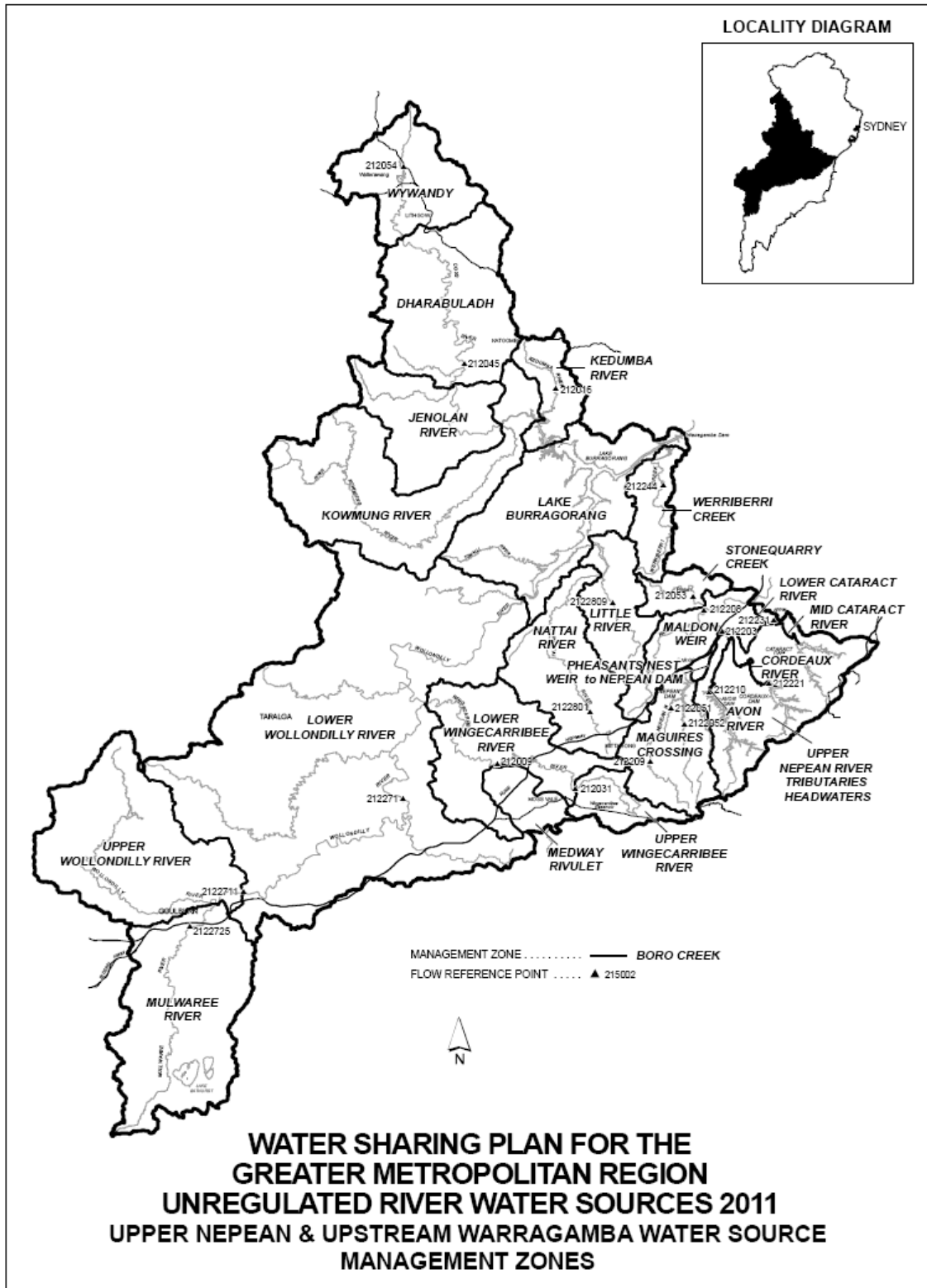


Appendix 2 Water Sources covered by this Plan



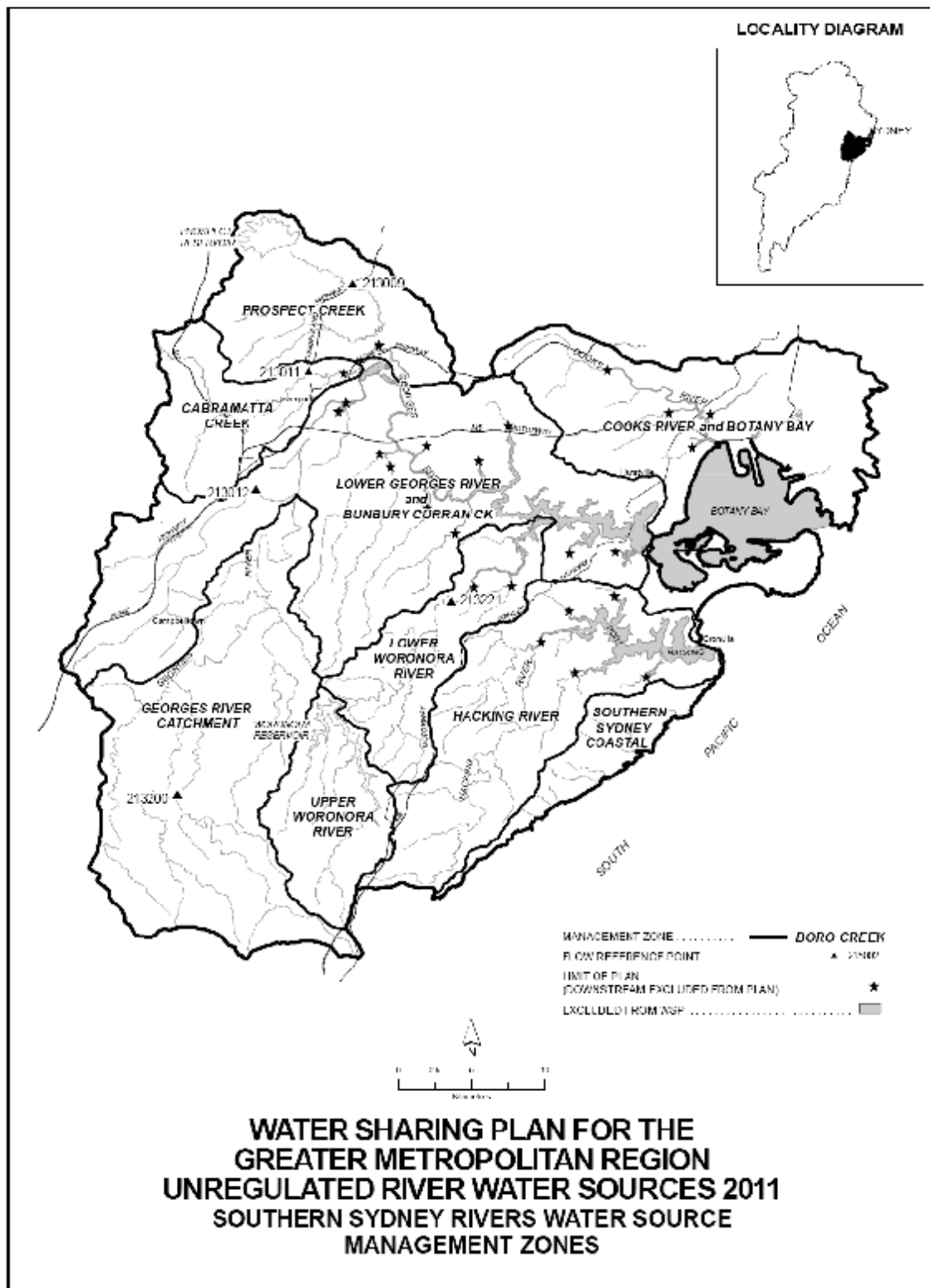
Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011



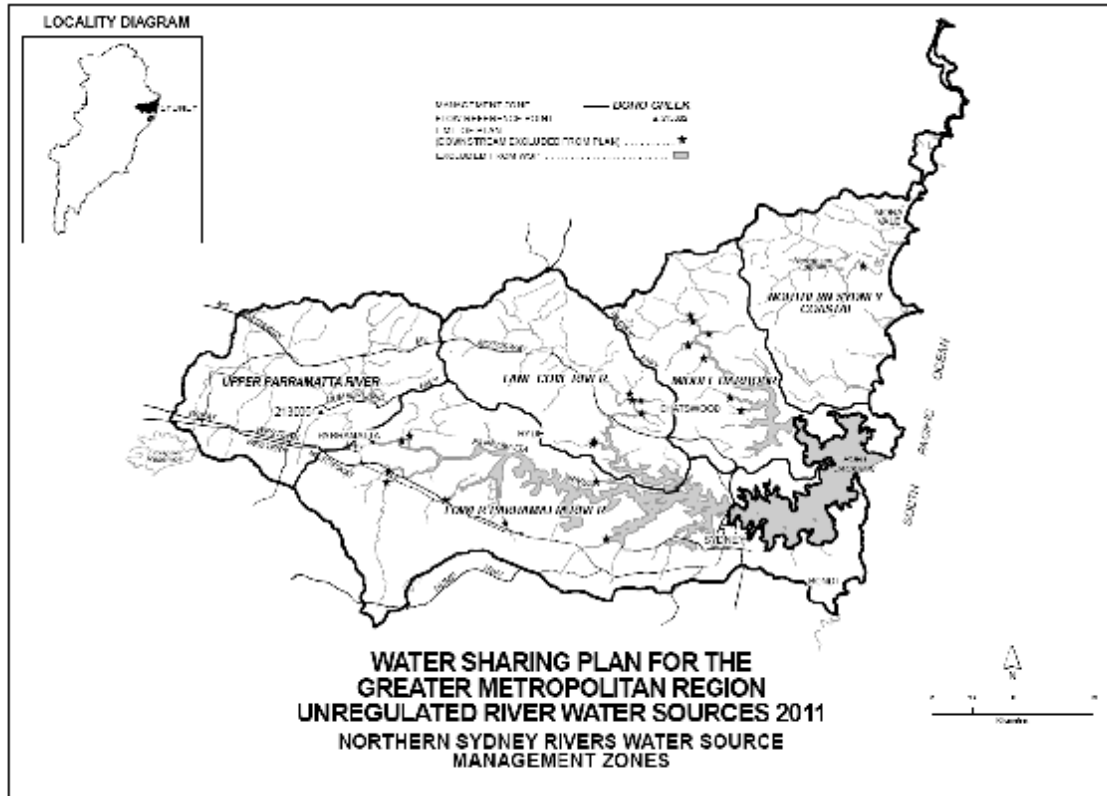


Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011





Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011



Appendix 3 Inspection of Registered Map

Copies of the Registered Map may be inspected at the following offices:

NSW Office of Water
Department of Environment, Climate Change and Water
10 Valentine Ave
PARRAMATTA NSW 2150

NSW Office of Water
Department of Environment, Climate Change and Water
84 Crown Street
WOLLONGONG NSW 2500

NSW Office of Water
Department of Environment, Climate Change and Water
5 O'Keefe St
NOWRA NSW 2541

NSW Office of Water
Department of Environment, Climate Change and Water
Level 4, 2-6 Station Street
PENRITH NSW 2750

NSW Office of Water
Department of Environment, Climate Change and Water
Level 3, 159 Auburn Street
GOULBURN NSW 2580

Appendix 4 Access licences with pre-existing cease to pump thresholds that are higher than the upper limit of the relevant environmental flow protection rules specified in this Plan

It is expected that those access licences which replace a *Water Act 1912* entitlement listed in Column 1 of the table below and which have a share component that specifies the water source listed in Column 2 of the table below will have the access rule specified in Column 3 imposed as a mandatory condition to give effect to clause 57 (5) of this Plan.

Column 1 <i>Water Act 1912</i> entitlements that will be replaced by access licences on commencement of this Plan	Column 2 Water source	Column 3 Access rules
10SL038625.	Hawkesbury and Lower Nepean Rivers Water Source.	Water must not be taken when the flow in the Capertee River at the Glen Davis gauge (212018) is 10 ML/day or less.
10SL051410.	Upper Nepean and Upstream Warragamba Water Source.	Water must not be taken when the flow in Long Swamp Creek at the Inverary Road gauge is 5 ML/day or less.
10SL055094.	Upper Nepean and Upstream Warragamba Water Source.	Water must not be taken with the flow in the Wollondilly River at the gauge located on the northern side of the road crossing over the Wollondilly River being Part Lot210 DP750002, Parish of Baw Baw, County of Argyle is 10 ML/day or less.
10SL055667.	Illawarra Rivers Water Source.	Water must not be taken when the flow in Macquarie Rivulet at the Macquarie Rivulet at Albion Park gauge (214003) is 6.75 ML/day or less.
10SL055668.	Illawarra Rivers Water Source.	Water must not be taken when the flow in Macquarie Rivulet at the Macquarie

Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011

		Rivulet at Albion Park gauge (214003) is 6.75 ML/day or less.
10SL022716.	Illawarra Rivers Water Source.	Water must not be taken when the flow in the Minnimurra River at the Browns Lane gauge (214010) is 3 ML/day or less.
10SL022991.	Illawarra Rivers Water Source.	Water must not be taken when the flow in the Minnimurra River at the Browns Lane gauge (214010) is 3 ML/day or less.
10SL029808.	Illawarra Rivers Water Source.	Water must not be taken when the flow in the Minnimurra River at the Browns Lane gauge (214010) is 3 ML/day or less.
10SL033070.	Illawarra Rivers Water Source.	Water must not be taken when the flow in the Minnimurra River at the Browns Lane gauge (214010) is 3 ML/day or less.
10SL039501.	Illawarra Rivers Water Source.	Water must not be taken when the flow in the Minnimurra River at the Browns Lane gauge (214010) is 3 ML/day or less.
10SL042895.	Illawarra Rivers Water Source.	Water must not be taken when the flow in the Minnimurra River at the Browns Lane gauge (214010) is 3 ML/day or less.
10SL055158.	Illawarra Rivers Water Source.	Water must not be taken when the flow in the Minnimurra River at the Browns Lane gauge (214010) is 3 ML/day or less.
10SL055473.	Shoalhaven River Water Source.	Water must not be taken when the flow in Bungonia Creek at the Bungonia

Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011

		gauge (215014) is 1 ML/day or less.
10SL055469.	Shoalhaven River Water Source.	Water must not be taken when the flow in the Shoalhaven River at the Warri gauge (215002) is 48 ML/day or less.
10SL055732.	Shoalhaven River Water Source.	Water must not be taken when the flow in the Shoalhaven River at the Warri gauge (215002) is 48 ML/day or less.
10SL055779.	Shoalhaven River Water Source.	Water must not be taken when the flow in the Gillamatong Creek at the SCA staff gauge (215237) is 1.3 ML/day or less.
10SL055791.	Shoalhaven River Water Source.	Water must not be taken when the flow in the Mongarlowe River at the Monga gauge (215007) is 20 ML/day or less.
10SL041304.	Shoalhaven River Water Source.	Water must not be taken when the flow in the Shoalhaven River at the Warri gauge (215002) is 24 ML/day or less.
10SL055340.	Shoalhaven River Water Source.	Water must not be taken when the flow of water in the Shoalhaven River at the Kadoona gauge (215008) is 10 ML/day or less.
10SL055341.	Shoalhaven River Water Source.	Water must not be taken when the flow of water in the Shoalhaven River at the Kadoona gauge (215008) is 10 ML/day or less.
10SL055746.	Shoalhaven River Water Source.	Water must not be taken when the flow of water in the Shoalhaven River at the Kadoona gauge (215008) is 10 ML/day or less.
10SL055747.	Shoalhaven River Water Source.	Water must not be taken when the flow of water in the Shoalhaven River at the Kadoona gauge (215008) is 10 ML/day

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		or less.
10SL055767.	Shoalhaven River Water Source.	Water must not be taken when the flow of water in the Shoalhaven River at the Kadoona gauge (215008) is 10 ML/day or less.
10SL056626.	Upper Nepean and Upstream Warragamba Water Source.	Water must not be taken when the flow in the Tuglow River at the staff gauge within the licence holder's property exceeds 3 ML/day.